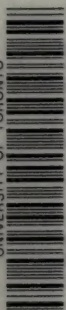


UNIVERSITY OF TORONTO



3 1761 01318347 0



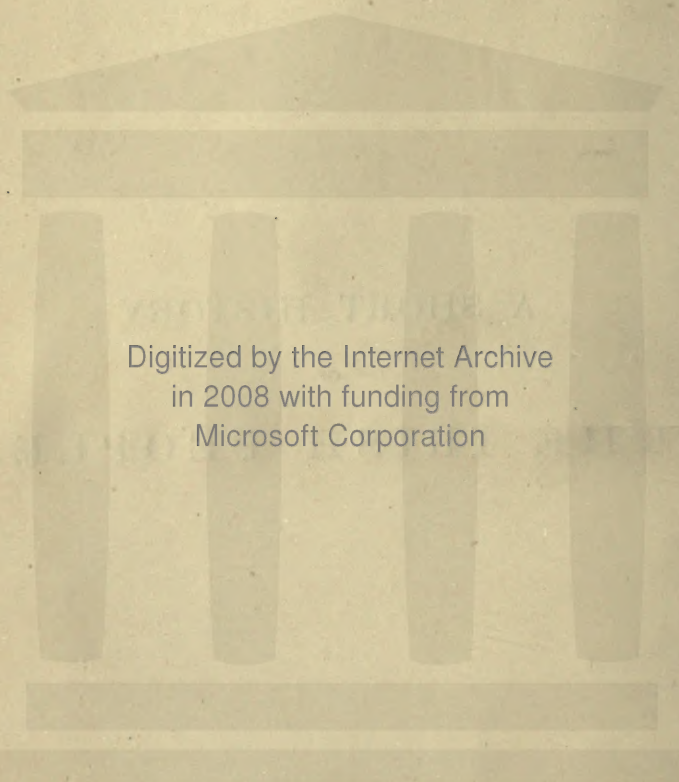




alg



A SHORT HISTORY  
OF  
THE IRISH PEOPLE.



Digitized by the Internet Archive  
in 2008 with funding from  
Microsoft Corporation



A SHORT HISTORY  
OF  
THE IRISH PEOPLE,  
DOWN TO THE DATE OF  
THE PLANTATION OF ULSTER.

BY THE LATE  
A. G. RICHEY, Q.C., LL.D., M.R.I.A.,  
DEPUTY REGIUS PROFESSOR OF FEUDAL AND ENGLISH LAW IN THE UNIVERSITY OF DUBLIN.

EDITED, WITH NOTES, BY  
ROBERT ROMNEY KANE, LL.D., M.R.I.A.,  
A LEGAL ASSISTANT COMMISSIONER UNDER THE LAND LAW (IRELAND) ACT 1881.

DUBLIN:  
HODGES, FIGGIS, AND CO., GRAFTON STREET,  
PUBLISHERS TO THE UNIVERSITY.  
LONDON: LONGMANS, GREEN, AND CO.

1887.

110908  
17/5/11



DA  
933  
R52



## P R E F A C E.

---

HAVING been asked by the widow of my lamented friend, Dr. A. G. Richey, to edit for publication a new Edition of his Lectures on Irish History, I gladly accepted the task as a tribute to the memory of one who, as truly said in the *Edinburgh Review* for April, 1886, p. 437, "saw his way through the complexities of Ancient and Modern Celtic life with a discernment almost intuitive in its appreciation of facts, while his scrupulous love of truth was only equalled by his pity for the long darkness of human misrule, which made him say, 'The study of Irish history teaches us sympathies with all parties.'" That this description is true his writings show, but how true can only be known by those who have had, as I have had, long friendship and intimate association with him.

Dr. Richey's Lectures were published in two volumes. The first, published in 1869, under the title of *Lectures on the History of Ireland down to 1534*, consisted of eight Lectures delivered to the pupils of the Alexandra College, Dublin, in 1869. The second, published in 1870, under the title of *Lectures on the History of Ireland, from A.D. 1534 to the date of the Plantation of Ulster*, consisted of ten Lectures delivered in Trinity College, Dublin, in Hilary Term, 1870, in continuation of the previous series.

To show the plan of, and the principle adopted in, the two volumes as originally published, I cannot do better than cite here from the Introduction to the second series:—

"A consecutive narrative of the events which took place in Ireland during the years embraced by these Lectures cannot fail to be monotonous and tedious. The plan adopted in this, as in the

previous volume, is to break the history into periods, which are distinguished by successive phases of policy and principles, on the part either of the English Government or the natives, and to illustrate them by the leading events in which the character of the struggle is most clearly developed.

“The Lectures have been enlarged by introducing into the text numerous extracts from Statutes and State Papers, which were originally merely referred to.

“It is often a legitimate subject of comment that a book should contain so large a proportion of extracts as has been introduced into these Lectures as now published; but this course is on the present occasion advisedly adopted.

“It is desired that both the English Government and its various opponents should be allowed, as far as possible, to state their own views and intentions in their own language; and the authorities referred to, although most of them exist in printed books, are not of easy access to those who do not possess a private, or habitually use a public, library.

“In citing public documents and private correspondence, an attempt has been made to avoid the error of treating them as evidence of all the facts stated in them. In the present work reference has been made to Statutes, official instructions, and correspondence, subject to the following restrictions.

“Public State Papers, such as Statutes, Proclamations, &c., are cited as evidence only of facts stated in them, which were of such notoriety, that any false statement relative to them would have been at once detected by the general public of the day; with this exception, all recitals or preambles in such documents are treated merely as statements of their case by the Government or their authors, especially adapted to the prejudices and opinions of those to whom they were addressed; but all such documents may be read against their authors, so far as they admit anything which, at the time of their publication, would have been esteemed unfavourable or discreditable to the party by which they were issued. To secret State documents, such as instructions to the Deputies, reports to the Irish Council or officials, and the correspondence between the Irish and English Government, which were never intended for publication, greater credence may be given; they may



be cited as evidence of facts within the reasonable means of information of the writer, and as generally fairly expressing his character, opinions, and objects. They also can be fairly used against their authors, as far as they admit or disclose failures, or anything which then (or perhaps even at the present time) would have been considered discreditable.

“In these Lectures, therefore, it has been desired to avoid the error of citing against the Celtic population the statements contained in English and Irish State Papers, or of citing against the English the unsupported allegations of Irish writers; each party is left, as far as possible, to detail their own actions, and explain their own policy.”

After the delivery and publication of these two series of Lectures, Dr. Richey delivered two lectures in Edinburgh, the one upon the Physical Geography of Ireland, the other upon the formerly existing Legislative Restraints upon Irish Commerce and Manufactures. The former of these constitutes the first chapter of this work; the second was conversant with a later period than it extends to.

He was, at the time of his last illness, engaged in writing a more detailed History of Ireland—a task for which he was eminently, perhaps more eminently than any other man then living, fitted; but of this only the first chapter was written at the time of his death. This chapter constitutes the second and third chapters of this work.

He was also one of the Editors of, and wrote the Introductions to the third and fourth volumes of, *The Ancient Laws and Institutes of Ireland*. These Introductions show clearly his great historical and juridical learning, keen critical acumen, and above all, his deep insight into the nature and characteristics of early societies and early habits of thought; but although the reader will find many references to them in the Notes, especially in those to the third chapter, they could not be embodied in this work.

What I have done in preparing this work for the press has been this—I have put together the two series of Lectures already published, the first Edinburgh lecture, and the fragment of the History, into one connected series, divided into chapters instead of into lectures. The Introduction consists of the introductory part

of the first lecture of the first series. I have omitted the rest of that lecture, as its subject-matter is more fully dealt with in the fragment of the History. Another part of it I have, however, given as a Note to Chapter III. Chapter I. consists of the Edinburgh lecture; Chapters II. and III., of the fragment of the History; Chapters IV.—X., of lectures II.—VIII. of the first series of lectures; Chapters XI.—XX., of the second series of lectures.

In none of these have I made any change, except such trifling corrections as were rendered necessary by the alteration of form of the work, and the correction of obvious clerical or printer's errors. In all other cases, where I have wished to express my dissent from, or to add to, or alter a statement in the text, I have done so by a Note, either at the foot of the page or the end of the chapter. The Notes at the end of the chapters, and such of the foot-notes as are enclosed within brackets, are mine. The foot-notes not within brackets are the foot-notes to the lectures as originally published.

I have to express my thanks to Mr. J. J. Digges LaTouche, Deputy Keeper of the Records in Ireland; to Mr. W. M. Hennessy, Assistant Deputy Keeper of the Records; to Mr. J. Mills, of the Record Office, and to Mr. M'Sweeny, Assistant Librarian of the Royal Irish Academy, for valuable advice and assistance given to me in the preparation of this work.

ROBERT ROMNEY KANE.

DUNGIVEN, AILESBURY ROAD,  
DUBLIN.

# CONTENTS.

---

	PAGE
Introduction, . . . . .	1
CHAPTER I.	
The Physical Geography and Natural Products of Ireland, . . .	4
CHAPTER II.	
The Irish Race, . . . . .	18 ✓
CHAPTER III.	
The Social Organisation of the Early Irish; . . . . .	34 ✓
CHAPTER IV.	
The Early Christian Church of Ireland, . . . . .	68
CHAPTER V.	
The Danish Invasions and King Brian, . . . . .	102
CHAPTER VI.	
The Invasion of Ireland by the Normans, . . . . .	127
CHAPTER VII.	
The Conquest of Ireland by the Normans, . . . . .	14
CHAPTER VIII.	
The Government and Policy of England in Ireland from 1172 to 1315, . . .	164
CHAPTER IX.	
The Invasion of Bruce, and the Statute of Kilkenny, . . . . .	188



	PAGE
CHAPTER X.	
The English Government and Policy in Ireland from A.D. 1366 to A.D. 1534                   ...           ...           ...           ...           ...	215
CHAPTER XI.	
State of Ireland in 1535,           ...           ...           ...           ...           ...	240
CHAPTER XII.	
The Church of Ireland before the Reformation,   ...           ...           ...	269
CHAPTER XIII.	
Reign of Henry VIII.—Civil Government and Policy,   ...           ...	302
CHAPTER XIV.	
Henry VIII.—his Ecclesiastical Policy,   ...           ...           ...           ...	346
CHAPTER XV.	
The Reign of Edward VI.           ...           ...           ...           ...           ...	389
CHAPTER XVI.	
The Reign of Philip and Mary,           ...           ...           ...           ...	419
CHAPTER XVII.	
The Reign of Elizabeth.—The War of Shane O'Neill,   ...           ...           ...	446
CHAPTER XVIII.	
The Desmond War, and the Plantation of Munster,   ...           ...           ...	492
CHAPTER XIX.	
The War of Hugh O'Neill,           ...           ...           ...           ...           ...	550
CHAPTER XX.	
The Flight of the Earls, and the Plantation of Ulster,   ...           ...           ...	593
INDEX           ...           ...           ...           ...           ...           ...	620

# A SHORT HISTORY OF THE IRISH PEOPLE.

---

## INTRODUCTION.

IN every system of national education on the Continent the history of their native country is considered a necessary subject of instruction for the young. In France a French history for the use of schools has been compiled, and is regularly written up under government direction. The case is otherwise in Ireland. The young of this country are left in absolute ignorance of the history of their forefathers. There do not even exist books suitable for instruction in this department. The indifference of the middle classes upon this subject is so great, that no author with a reasonable prospect of success attempts to publish an Irish history. Two reasons are alleged for this anomaly. We are told that a knowledge of Irish history is *dangerous*; and further, that the history itself is *useless and uninteresting*. I maintain, on the contrary, that a knowledge of the truth is never dangerous, though ignorance may be so; and still more so is that half knowledge of history which enables political intriguers to influence the passions of their dupes, by misleading them with garbled accounts of the past, so inaccurate that they would be rejected with contempt by their readers, if they knew anything of the matter at all. I do not confine these observations to the writers of any creed or politics.

I deny that the history of Ireland is either dangerous to learn, or uninteresting, or unprofitable to study; so far from exasperating the feelings of those who have honestly engaged in it, the study of Irish history does not excite political animosity, but leads to the

very opposite result. Thoroughly to appreciate the history of this or any country, it is necessary to sympathise with all parties—to understand their prejudices, their difficulties, and their errors. Those who take an interest in the subject must feel a warm sympathy for the tragic decay and ruin of the noble Celtic nation, but will feel an equal sympathy for the gallant Norman gentlemen, who, turning their backs upon France and Italy, were wafted by an ill wind to this country, and thus involved in a net of difficulties common to themselves and the conquered. To understand the wars of Elizabeth, we must appreciate the difficulties and high aims of the Tudor statesmen, while we mourn over the despairing struggles of the last Irish prince. We must understand the perplexity of the Catholic noblemen of the Council of Kilkenny, and the loyal Protestantism of the Duke of Ormonde. We all must respect those stern men who maintained their religion and the English connexion behind the walls of Derry, but we should at the same time sympathise with the faith and loyalty of the high-born gentlemen who abandoned home and wealth for their Church and their King. A study of Irish history teaches us sympathy for all Irish parties.

We are further told that Irish history is useless and uninteresting: this, again, I deny. Placed far away in the Western Ocean, Ireland was not the scene of any of the struggles which decided the destiny of Europe; Ireland has not produced historians of genius, whose chronicles take a place in universal literature. The great battles of history have not been fought, nor the great battles of politics decided, on Irish soil; but in Ireland almost every system, social and political, has been successively tried, and found wanting. The characteristics of political systems are often better tested by failure than by success. The glory of temporary success hides the weakness of a form of government; but the history of its decay discloses the radical errors. As has been observed, in Ireland every system, social and political, during the middle ages met with equal failure. The tribal system was crushed before it was developed into the results which arose in other countries; it ended in barbarism and confusion. The feudal system was introduced in its strictest theory, and ended in utter anarchy. The high aims and lofty ideas springing from the notion of Divine right,



and combining force and justice, which were maintained by the Tudors, were tried in Ireland, and terminated in tyranny and disorder. The history of these failures cannot but be instructive. Irish history resembles that of Spain during the last three centuries, described by a modern writer as the elaboration of all those ideas of law and political economy, according to which a nation should not be governed. In the present series of Lectures it is not attempted to detail the facts of Irish history, but rather to indicate the several standpoints from which it should be regarded, and the spirit in which it should be investigated. Irish history may be divided into the following periods :—First—The mythical or traditional, extending from remote antiquity down to the introduction of Christianity into the country. Secondly—The Christian Celtic, from the arrival of St Patrick until the Norman invasion of Ireland. Thirdly—The Norman invasion and colonization during its period of vigour and apparent success, from 1170 to 1315. Fourthly—The history of the Norman colony during the period of its failure and weakness, from 1315 to 1534. Fifthly—The Tudor government of Ireland, from 1534 to 1603. Sixthly—The Stuart government in Ireland, including the period of Cromwell, from 1603 to 1690 ; and, lastly, the period of Protestant ascendancy, ending with the Union. The present work is intended to deal with the first five periods.

---

## CHAPTER I.

---

### THE PHYSICAL GEOGRAPHY AND NATURAL PRODUCTS OF IRELAND.

THE progress and civilization of a nation are mainly determined by its surrounding physical conditions ; the situation of a country, the nature of its surface and coast-line, its mineral and vegetable productions, the substances available for food, the proportion which the amount of food produced bears to the labour expended, and the peculiarities of the climate, affect the character and habits of the inhabitants. It is, therefore, necessary to commence the history of the Irish people by a sketch of the physical geography and natural productions of Ireland.

Ireland is situated between the degrees  $51^{\circ} 26'$  and  $55^{\circ} 21'$  north latitude, and  $5^{\circ} 20'$  and  $10^{\circ} 26'$  west longitude ; it is bounded by the Atlantic on all sides except the east, where it is separated from England by St. George's Channel, 47 miles across where narrowest, the Irish Sea, 138 miles wide, and the Northern Channel, which, of a width not exceeding 13 miles, separates Fair Head from the Mull of Kantyre ; its shape is that of rhomboid, of which the greater diagonal is 302 miles, and the less 210 miles ; its superficial area is 32,524 square miles, or 20,815,460 English acres.

Most distinct geographical masses, such as islands or peninsulas, have, near their centre, or in a dominant position, a "dorsal spine" of mountains, the branches of which extend from the centre towards the extremities. In Ireland the case is otherwise ; the entire centre of the island is occupied by a vast plain of but

moderate elevation above the sea-level ; on every side of this depression the ground rises toward the ranges of hills or mountains, which, situate generally along the sea-coast, form a circular brim, pierced by breaches, through which at intervals the central plain extends to the sea.

The great central plain, the most striking physical feature in Ireland, stretches right across the island from the coast between Dublin and Dundalk Bays on the east, to Galway Bay on the west, seldom exceeding 300 feet in elevation, the average being much less. Towards the north the plain is bounded by low ranges of hills from the foot of the Ox Mountains in Mayo, along the southern slopes of the Arigna or Slieve-an-Ierin Hills, eastward to the coast at Dundalk ; on the west its boundary is clearly marked by Lough Mask and Lough Corrib down to Galway Bay, beyond which it assumes the form of a terraced range of low hills in the Burren district of Clare, and thence sends out an arm to the estuary of the Shannon at Foynes. On the south it skirts the group of isolated hills which are, as it were, the advanced outposts of the Kerry, Cork, and Waterford mountains ; on the east it is bounded by the granite range of the Wexford, Wicklow, and Dublin, reaching the coast at Dublin Bay along the base of the Three Rock Mountain and Killiney Hill. Throughout the area several isolated hills rise above the surface of the plain, such as the table-land of the Castle-comer and Killenaule coal-fields, the Chair of Kildare, and a few detached hills to the north-west. Throughout its greater extent the plain is underlaid by carboniferous limestone, and its limits (except in the north-western districts) may be taken to coincide with the boundaries of the limestone formation as laid down upon a geological map. The limestone of the plain is, however, only occasionally visible, as the greater portion of the surface is over-spread by beds of limestone gravel or boulder clay, or by shallow lakes and sluggish streams, and the extensive peat mosses, which are a still more recent covering, and generally occupy the sites of former shallow lakes.

It has been satisfactorily proved by geologists that the central depression was not caused by the elevation of the coast-line, but by the destruction, by water action, of the coal measures, which must be assumed, at a remote period, to have filled the entire centre of



the island to the level of the bounding mountains; in several places, either on the margin or rising from the central plain, there still remain fragments of the upper carboniferous strata, which, having escaped destruction from special circumstances, disclose what kind of strata originally overlay the carboniferous limestone in the wide intervals between them; of these the most remarkable instances are the Castlecomer and Killenaule coal-fields on the south, and those of Arigna, Slieve-an-Ierin, and Tyrone on the north.\* The theory of the destruction of the strata overlying the carboniferous limestone by water action, extending over a lengthened period, is illustrated by the otherwise unaccountable course of several of the rivers which drain the central plain, which, instead of entering the sea by the existing valleys, strike across ridges of comparatively hard construction, through which they have cut ravines, and thus, in what seems an unnecessarily difficult and laborious manner, make their way to the sea. Thus the Shannon, flowing with a very slow current, upon reaching at Killaloe the group of mountains which extend from the Slieve Boughta to the Slieve Bloom hills, instead of bending to the right and making its way across the plain to Galway Bay, crosses one of the hills, cutting it into two sections so similar in structure, that, without the intersecting gorge, they would form one single mountain dome. Similarly the Blackwater, which flows down the valley which ends in Dungarvan Bay, instead of continuing its course along the valley, at about four miles east of Lismore, turns sharply to the south, and, cutting its way through the old red sandstone ridge of the Drum Hills, enters the sea at Youghal. These river-courses can be explained only upon the supposition that the water originally flowed over a plain as elevated as the summit of the ridge cut through, and that the river never deserted its original channel because the lowering of the river-bed by the action of its water kept pace with the denudation of the plain over which it flowed; if, however, the level of the plain was lowered more rapidly than the rock was cut through, the river would altogether abandon its original

[\* The manner in which the central plain has been formed, as stated in the text, by the denudation of the carboniferous strata, is very fully and clearly explained in Professor Hull's *Physical Geography of Ireland*, Pt. II., Chap. VI.]

course, and be driven into a new and, perhaps, very distant channel. Thus probably were formed the peculiar features in Irish scenery—deep clefts crossing mountain ridges, with the appearance of river valleys, but commencing and ending at a level much above the adjoining plain, such as the Glen of the Downs, in the County of Wicklow, and the Gap of Barnesmore, in the County of Donegal.\*

The destruction in Ireland of the upper carboniferous strata, including the coal measures, has materially affected the destinies of the country, by depriving it of that which, in modern times, is the prime requisite of the development of manufacturing industry.

If a line be drawn across Ireland from Dublin or Dundalk to Galway, it will meet no elevation exceeding 250 feet; but a section in any other direction will be found to cross a mountain ridge bounding the central plain. The exterior mountains are broken up into distinct groups, which have little relation or connection with each other.

Commencing from Dublin, there are first met the south-eastern highlands of Wicklow, a compact mass of mountains, without spurs, and with few lateral valleys, and extending from the neighbourhood of Dublin to the confluence of the Barrow and the Nore; Lugnaquilla, the highest of this range, reaches the height of 3,039 feet. Abutting upon the southern extremity of this range, commences a series of mountain groups, the Slievenaman, Comeragh, Knockmealdown, and Galtee ranges, which extend in successive elevations of from 2,000 to 3,000 feet across the south of the counties of Kilkenny, Tipperary, and Limerick. The chain of mountains is broken by the coal measures district, which extends from over the west of Clare and the north-east of Kerry; but they rise again towards the Atlantic, where Mount Brandon terminates the series in the lofty promontory which separates the Bay of Dingle from the mouth of the Shannon. Southward from these groups the same formation occupies the entire counties of Cork and Kerry; the elevations here towards the east are moderate, and the country fertile; but they spread over a wider surface, and attain a greater height, as they tend toward the sea, occupying the whole western part of Cork, and the southern portion of Kerry, with precipitous

\* See Note I., at end of chapter.

and sterile ridges, among which MacGillicuddy's Reeks, in Kerry, rise to 3,414 feet, being the highest ground in Ireland. The county of Clare is rather hilly table-land than mountainous; but north of Galway, where the central limestone plain touches the sea, the mountains again appear, and extend thence through the district of Connemara to the peak of Croagh Patrick on the southern shore of Clew Bay. From the northern shore of this bay to Killala, the north-west of Mayo is an unbroken tract of mountains, which are prolonged by lower ridges to within a short distance of Donegal,\* where a narrow interval of low land separates them from the extensive mountain district which occupies the county of Donegal and part of the county of Derry, rising to heights of from 1,500 to over 2,000 feet. East of the Bann and Lough Neagh succeeds the trap district of Antrim, a monotonous and dreary upland;† and in the southern parts of Down and Armagh there are Mourne and Slieve Gullion mountains, rising to the height of 2,500 and upwards. The only internal mountains of any importance are the Slieve Bloom, Keeper, Slieve Bernagh, and Slieve Baughta ranges, which extend for some distance along each side of the Shannon, in the counties of Tipperary and Queen's County, and Clare and Galway, respectively.‡

From the arrangement of the mountain groups round the border of a central plain, the courses of the greater number of the rivers in Ireland are necessarily short. Of those which drain the external districts, the chief are the Blackwater and the Lee in Cork, the Foyle in Donegal and Derry, the Bann and Lagan in Antrim and Down, and the Slaney in Wexford. The rivers of the central district have longer courses, and a much greater volume of water. The chain of Slieve Bloom and the Eskers divide the central plain

[\* A mass of high land, bounded on the N.-E. by the valley of the Erne, and on the S.-W. by the waters running into Sligo Bay, contains the highest hills of the carboniferous series in Ireland, Truskmore (2,113 ft.) and Benbulbin (1,722 ft.), of limestone, and Cuilcagh (2,188 ft.), of millstone grit, and forms a sort of natural boundary between Connaught and Ulster.]

[† The northern edge of the upland breaks into the great cliffs of Bengore and Fair Heads—the former celebrated by its offset, the Giant's Causeway, and the latter, as the nearest point of Ireland to Great Britain.]

[‡ Keeper Hill, the highest point of this central group, is 2,278 feet high.]



longitudinally into two unequal portions, of which the western is much the greater. The eastern or smaller division is again subdivided by the summit level of the Bog of Allen into a northern portion, the waters of which discharge themselves into the Irish Sea by the Boyne, and a southern district, which sends its drainage in an opposite direction into the Atlantic by the united streams of the Barrow, Nore, and Suir. The western division, which much exceeds the united basins of these three rivers, is drained, except in its most northern portion, wholly by the Shannon. This great river takes its rise as far north as the carboniferous hills of Leitrim and Fermanagh, beyond Lough Allen, the surface of which is only 160 feet above the level of the sea, and, issuing from this lough, flows sluggishly in a nearly southern direction over the central plain for a distance of 80 miles, passing through Lough Ree and Lough Derg, when it enters the gorge separating Slieve Bernagh from Slieve Arra, and with a rapid fall reaches Limerick, when it becomes a tidal river; here it turns to the westward, and enters the ocean through a broad and generally deep estuary, about 60 miles in length. The country whose waters it receives is flat, its streams sluggish, and the soil upon its banks either deep and retentive clays or extensive bogs. Expanding into numerous lakes of considerable size, often overflowing the lowlands on its banks, it may be considered rather a series of lakes than a river in the ordinary acceptance of the term. Of a similar character is the extended line of Lough Erne, which drains the northern portion of the plain and the highlands of Tyrone. It may be observed, that these two rivers, from their nature, can be crossed at very few points; the passes of the Shannon are at Athlone, Banagher, and below Killaloe; and the town of Enniskillen commands the only bridge across the Erne. The drainage of that portion of the western division of the central plain, which is beyond the basins of the Shannon and the Erne, is discharged into a numerous series of lakes, which skirt the limits of the limestone country to the west, in the counties of Galway and Mayo, and form a connected series, separating the Connemara mountains from the western plain. On the north-east, the rivers Bann and Blackwater and Lough Neagh separate Antrim from the rest of Ulster.

Notwithstanding the number and volume of its rivers, the

internal navigation of Ireland was of a very restricted character. The upper waters of the Shannon were closed by the rapids at Killaloe; the falls at Ballyshannon forbade access to the Erne; and the Bann was beset by shoal and rapids; the Barrow, Nore, and Suir alone, of all the rivers, afforded access to the interior; and through Galway, by Lough Corrib, the unproductive districts of Connemara and West Galway might be reached by small trading vessels.

The numerous and deep bays on the south-western and north-western coasts of the island, although affording secure havens to an unlimited number of vessels, are of no mercantile importance, for, being merely prolongations of valleys, and situated upon the exterior of the mountain ranges, they are surrounded by mountainous and inhospitable districts, and possess no easy communication with the interior fertile plain. The Port of Dublin, a shallow and sandy bay, and perhaps, therefore, the better adapted for ancient vessels of small draught, appears to have been in ancient times the only outlet for the trade of the Leinster plain. The estuary of the Shannon, and the various harbours from Wexford to Kinsale, were available for the trade of the scattered fertile plains lying between the mountain ranges and the sea, but, until a late period, were practically isolated from the interior of the island.\*

The central district contains upwards of a million acres of bog, comprehended for the most part within the portion of the island which would be included by lines drawn from Wicklow to Galway, and from Howth Head to Sligo. The greater portion of these bogs lies west of the Shannon, in the counties of Galway, Roscommon, and Mayo; the remainder, extending in various tracts through the King's County, Longford, Westmeath, and Kildare, is known collectively as the Bog of Allen.

The peculiar form of the island causes the area to bear an un-

[\* Limerick, situated on the Shannon, just above the point at which it widens into its estuary, and at a point where the central plain again comes down to the great river, south of the central mountain group, gave access to the south-western, as Dublin did to the north-eastern, portion of the central plain. This convenience of position for trade, as for raid, was no doubt the cause why these two towns, together with Waterford, situated on the Suir, just above its confluence with the Barrow, became the principal settlements of the Danes in Ireland.]

sually high ratio to the extent of the coast; a straight line joining any two places in Ireland, at any considerable distance from each other, is invariably drawn across the land. The adjoining islands are few and unimportant, being merely the extension of the mountain chains. The remarkable contrast of the geographical form of Ireland to that of such a country as Greece, easily accounts for the inaptitude always shown by its inhabitants for maritime pursuits.\*

The physical peculiarity of Ireland is its want of geographical unity; although compact in its form, and not intersected by mountain ranges of unusual elevation, it is broken up into several distinct districts without means of easy communication; its political divisions, and the fortune of each of them, are clearly referable to physical conditions. This difficulty of communication was aggravated by the fact, that prior to the sixteenth century, Ireland was overspread by dense and continuous forests; the inhabited and cultivated portions could have been little more than clearings. Giraldus remarks, that there are in some places very beautiful plains, although of limited extent, in comparison with the woods; and the force of this observation lies in the fact that it was made by a Welshman in the twelfth century.

The northern province of Ulster, the district north of the Bay of Donegal on the west, and the Bay of Dundalk on the east, was practically separated from the southern portion of the island by the upper and lower Lough Erne on the west, and the hills of Armagh and Down on the east, and, in the interval, by the lake district of Cavan and Westmeath. Ulster itself is divisible into three districts—the mountainous tract extending from Donegal Bay to Lough Foyle, the counties of Down and Antrim to the east of Lough Neagh and the Bann, and the intervening and comparatively open counties of Derry, Tyrone, Armagh, and Monaghan. The island south to Ulster is divided by the Shannon into two distinct portions; west of the Shannon is Connaught, accessible from the east only at Athlone, from the south only below Killaloe; the Loughs Corrib and Mask completely sever the district of Connemara from the central plain; and on the north-west the mountain tract to the west of Lough Conn is completely isolated.

\* See Note II., at end of chapter.



The modern province of Leinster was divided by the line of the bogs and low hills into Meath to the north, and the ancient Leinster to the south; the latter was compressed between the mass of the Wicklow and Wexford mountains on the east, and the impenetrable bogs and woods of the King's and Queen's Counties to the west; the fertile plain of Wexford was comparatively isolated, the only road to it from Dublin being by a circuitous route to the west of the Wicklow hills, and down the valley of the Slaney. Between the Carlow and Kilkenny hills and the mountain ranges of Cork and Kerry, the plain of Tipperary and Limerick is spread out as a battle-field and subject of contention; and far away to the south-west the steep and wooded mountains of Kerry and West Cork seemed an impregnable refuge for the Munster tribes.

No province of Ireland possessed such a central and commanding position, or gave such strategic advantages, as to ensure its inhabitants the predominance in the island; and the physical formation of the country, which rendered foreign conquest difficult, was an insuperable obstacle to establishment of a national unity.

The only agricultural produce of Ireland in the early periods of her history was the ordinary cereals—a crop for which the country is not particularly adapted; the moistness of the climate, and low average temperature of the summer, retard the ripening of the grain, and deteriorate its quality. In Russia, under the same parallel of latitude, cereals are sown later than in Ireland, and yet are harvested a month, or perhaps forty days, sooner; but this disadvantage is fully compensated by the constant luxuriance of its pastures, which, from the earliest period, has made Ireland pre-eminently a grazing country. It must be remembered, that the green crops, for which the climate is so well adapted, are of but recent introduction into Ireland.

Ireland produces a considerable number of minerals; but in estimating the industrial resources of any country at an early period of its history, it is necessary to exclude all mines which require to be worked by machinery, and all ores from which the metal is extracted by chemical processes. In ancient days, mineral wealth meant the possession of superficial veins of native metal, or of ores from which the metal is obtainable by smelting merely.

There can be no doubt that sources of native gold were known

to the Irish at a very remote period. This is sufficiently proved by the testimony of our ancient writers, descriptive of the use and manufacture of the metal, and by the abundance of gold ornaments peculiar to Ireland, and for the importation of which no foreign source can be assigned. Even after the date of the Norman Conquest, Ireland contributed to the exchequer of Normandy gold to a considerable amount. The metal was probably found in the river gravels of Wicklow and Wexford, where it was rediscovered near the end of the last century, but not in sufficient abundance to repay the costs of working.

Iron ore of excellent quality is easily obtained in Ireland, particularly the species known as bog iron; and so long as the forests afforded the means of smelting, excellent steel was produced by the same simple processes which are now employed in the remote districts of Russia. Coal, copper, and lead mines are now, with more or less profit, worked in Ireland, and the existence of these metals was known to the early inhabitants, traces of whose ancient workings have been found in some districts, but to a very limited extent; nor does it appear that they were a subject of commerce.\* The most valuable of ancient metals, tin, is wholly wanting in Ireland.

For a pastoral people, Ireland was an enviable home; there were plains with rich herbage for their cattle; the woods were full of game, and the lakes abounded with wild fowl; timber was abundant, and iron, the prime necessity of life, was procured without difficulty. But the physical conditions which render a country suitable for such a population, are not those which, in the subsequent stages of civilization, are most advantageous for its inhabitants.

One of the most remarkable facts in the history of the Celtic inhabitants of Ireland is, that they continued, during the entire historic period, to exist without important change in their civilization and social system; from the date of the introduction of Christianity in the fifth century, to the death of the last independent Celtic prince at the close of the sixteenth century, no social or political development is apparent. The tribe in its mode of life and system of government remained during this period essentially

\* See Note III., at end of chapter.

the same.\* In the year 451 the first Saxons landed in Kent, and in 1558 A.D. Elizabeth reigned in England. The two states of society at these distant dates are very widely different, and scarcely admit of comparison; but the Court of Shan O'Neil would not appear to have been very different from that of Cormac MacArt, notwithstanding the lapse of eleven centuries. It is idle to attribute this persistence in ancient usages to any peculiar conservatism of the national character, and it may more reasonably be referred to continuance of external physical circumstances.

The essential condition of a progressive society is the accumulation of capital, stimulated by the desire to obtain by barter foreign commodities; but the geographical position of Ireland, and the nature of its productions, rendered an accumulation of capital for commercial purposes almost impossible.

The timorous navigation of the ancient world and of the middle ages, renders our modern commercial ideas inapplicable to such a condition of things as existed prior to the sixteenth century. The vessels in use were comparatively small, their voyages were rarely prosecuted out of sight of land, and what appears to us an extraordinarily long time was required for the passage between points not very distant from each other. The necessary result of such a system of navigation was, that freights were extremely high, and the only articles profitable to import were those which combined great value with small bulk. The natural productions of the northern States of Europe being essentially the same, the difference of price in those countries of such articles could scarcely be sufficient to cover the amount of freight; hence the English exports consisted, at an early date, of tin almost exclusively; those of the Baltic coasts of amber. Ireland possessed no article at once valuable and small in bulk available for exportation; tin was not found in the island, and the mineral resources of the country had not been developed; the climate and soil were not adapted to the production of cereals; the entire wealth of Ireland consisted of its cattle.

Under the ancient conditions of navigation, a trade in live animals was impossible, and the sole exports appear to have con-

\* See Note IV., at end of chapter.



sisted of the hides of cattle, the skins of wild beasts, and, perhaps, coarse friezes, and the materials for dyeing. The amount of the two former more important articles could not, it is obvious, be increased by any system of industry. The slaughter of cattle, solely for the purpose of the export of their hides, is possible only in a country such as the districts of the River Plate, where unnumbered herds multiply in unowned plains. The foreign commerce of Ireland appears to have been incapable of expansion, and the amount of imports would be restrained by the fixed quantity of possible exports. That a very considerable trade in hides and skins was carried on between Ireland and the Continent is evident from the observation of Giraldus as to the abundance of Poitou wine in Ireland, obtained in exchange for such articles ; and there can be little doubt that this commerce had subsisted from the commencement of our era. The point of these observations lies, however, not so much in the limited extent of the trade as in its incapacity for further development.

The accumulation of capital being impossible so long as Ireland remained a pastoral country, the influence of realized wealth, by which the older forms of society are broken up and transformed, was wanting, and the ancient system of society was maintained long after it had ceased to exist in the other western countries of Europe. The extensive introduction of agriculture, and the attempt to develop the resources of the country, are referable to the introduction of English and Scotch settlers at the commencement of the seventeenth century ; but so manifest are the advantages of the island for pastoral purposes, that agriculture has been extended solely by the pressure of population ; and to the present day, if the self-interest of the owners of land were alone consulted, the country would revert to its original condition.

---

## NOTES TO CHAPTER I.

---

### NOTE I.

THE origin of the existing river valleys in Ireland will be found explained in detail, and with admirable clearness, by the late Prof. J. B. Jukes, *Quart. Journal, Geol. Soc.*, Vol. XVIII., 374, and in Prof. Hull's *Physical Geography of Ireland*, Pt. II., Chaps. VII.-XI.

Professor Jukes, *loc. cit.*, p. 395, considered the sudden change of direction of the Blackwater, as stated in the text, and the Lee, which, if it followed the course of the level limestone valley through which it runs as far as Glanmire, below Cork, would enter the sea in Youghal Bay, but, turning at right angles, cuts through two successive ridges of old red sandstone, at Passage, and at the mouth of Cork Harbour, to arise from the lower courses of these rivers being originally the lower courses of now tributary streams, which join the now main rivers at right angles at the points of deflection, and that the upper courses of the now main rivers were not formed until the troughs through which they now run were formed by the lowering of the surface of the limestone below that of the old red sandstone ridges on each side. This view is not adopted by Prof. Hull, who attributes the change of course to some physical obstruction, such as a fault at the point where the deflection occurs, which prevented their pursuing their direct course.

Professor Hull's excellent book, referred to above, is well worth studying by anyone who desires to know more of the physical geography and geology of Ireland than the necessarily short sketch given in this chapter.

---

### NOTE II.

That this inaptitude for, or rather want of the habit of, maritime pursuits, resulted originally from the conformation of the country, and

has been perpetuated by circumstances, and was not a racial inaptitude, is shown by the fact that Irishmen who become sailors or fishermen become just as good seamen as Englishmen or Scotchmen. As far as the rude vessels which they had enabled them, the early Irish seem to have taken to the sea, especially to the earliest form of maritime adventure, piracy, readily and boldly, and down to the sixteenth century, some of the southern and western clans, notably the O'Malleys in Mayo and the O'Driscolls in Cork, debarred, by circumstances, from lawful commerce, were bold and successful pirates.

The popular notion that Celtic nations have a racial inaptitude for the sea is utterly erroneous. Cornishmen have always been celebrated as sailors among Englishmen and Bretons among Frenchmen.

---

#### NOTE III.

Silver is now obtained from the Wicklow lead ore, but by processes unknown in early times. A silver mine was worked in Clonmines, in the county of Wexford, in the reign of Edward VI., for the Crown, by German miners; but the undertaking was not profitable. It was probably obtained by smelting argentiferous lead ore, as it is described as "silver mixed with lead." For an account of this, see Bagwell's *Ireland under the Tudors*, Vol. I., p. 372, and the documents there referred to—*Cal. State Papers*, 18551-53. There are some subsequent references in *Carew MSS.*, as late as 1558, not referred to in Bagwell.

---

#### NOTE IV.

No doubt there were, as pointed out by Mr. Richey himself, in his Introduction to the Tracts comprised in Vol. IV. of the *Ancient Laws of Ireland*, changes in the mode of life and political organization of the Irish tribes between the fifth and sixteenth centuries, and the statement in the text may seem too broadly expressed; but these changes were of very slight importance, and seem, as far as we can judge, to have been changes for the worse, not for the better. These changes bore some analogy to the changes which took place in England up to the Norman Conquest. They were principally an increase in the claims and demands of the chiefs, and a deterioration of the position of the clansman, as in England an increase in the wealth and powers of the "eorl," and progress towards serfdom of the "ceorl." The gallowglass in Ireland was the equivalent of the "house carl" in England.



## CHAPTER II.

---

### THE IRISH RACE.

THE mediæval histories of European nations usually commenced with the Creation, or, at least, with the Deluge.

These mythical, or rather, purely artificial, chronicles were, in most cases, discarded when the increasing study of classical literature showed their utter incompatibility with the acknowledged facts of Roman history. The credibility of the history of Ireland, which never formed a portion of the Empire, is not subject to so obvious a test, and the critical study of historical evidence has never found much favour with Irish writers; hence, by authors even of the present day, and by compilers of popular histories, tales the most purely mythic are treated as veritable history, and questions are seriously discussed with reference to fictitious chronologies and imaginary or ethnic genealogies.

In the present temper of historical enquiry, it would be idle to enquire as to the credibility of the unbroken lines of kings and roll of battles, from the year 278 after the Noachian Deluge, to the death of Dathi, who, in the year 428 A.D., perished, smitten by lightning, at the foot of the Alps, while marching triumphantly to the invasion of Italy, but whose name and exploits escaped the notice of cotemporary Roman writers.\* In dealing with such a subject, it is more easy to discern what must be rejected than what may be retained. The early period of such a chronicle is absolutely and undeniably false; but in the traditions of the generations

\* See Note I., at end of chapter.

immediately preceding the historic period, there are, doubtless, preserved the names of men who actually existed, and the memory of events which, in truth, occurred ; yet to distinguish the real from the legendary in such a chronicle, is beyond the resources of criticism. In the case of the Roman history, this task, essayed by the learning and acuteness of Niebuhr, terminated in acknowledged failure ; and the results of his enquiries have met the same fate as the legends which he effectually discredited. The discussion of events which may have occurred is absolutely fruitless, and conclusions drawn from possibilities inevitably end in error. The Celtic kings and heroes, whose personality was never so clearly defined as that of Numa or Achilles, must submit to the same fate as those illustrious ancients in whose existence our fathers undoubtingly believed.

If the history of a country were nothing more than a detailed list of its sovereigns, and some details of their wars and crimes, it would matter little, for all the profit which could be derived from such knowledge, whether the chronicle were true or false ; but if it be understood that the condition and development of the inhabitants, not the name of their ruler, for the time being, is the subject of the reasonable history of a country, the futility of any enquiry as to those shadowy kings who crowd the earlier pages of the Irish chroniclers will be obvious and apparent. Whether they reigned or not, conquered or perished, or, indeed, they ever existed at all, should be a matter of supreme indifference to any seeker after facts and realities.

Attempts have been made to describe the life and civilisation of the Irish in pre-Christian periods by the use of the numerous heroic tales and romances which still survive to us ; but the Celtic epic is not more historically credible or useful than the Hellenic—the *Tain Bo* than the *Iliad*. Such works are now rightly regarded as merely glorified or idealised descriptions of the society in which the author lived, and than which he knew no other ; those who use them as serious historical description, would, with equal naïveté, cite Ariosto as an authority upon the state of society during the reign of Charlemagne.

Many of the vast mass of existing legends are possibly historical, and preserve the popular traditions of men who lived and events

which actually occurred ; but these exhibit no such peculiarity of form or matter as might distinguish them from legends which have no historic basis. The majority of the Irish tales, like those of all ancient nations, are obviously of divers origins, and may be divided into distinct classes : (1) the ethnical, which embody the general popular ideas, and received theories of the origin and early history of the race, including genealogies framed as the means of recording actually existing relations between independent tribes ; legends of this class have been manifestly recast, and supplemented by early Christian writers by additional matter, conjectural or imaginary, with the object of synchronizing the Irish and sacred history ; (2) the linguistic, embodying the theories by which early thinkers endeavoured to explain the obvious resemblances existing between the languages of independent nations ; (3) the purely mystical, embodying, under the form of tales, the religious ideas of a pre-historic age, and the meaning and origin of which had been wholly forgotten ; and, lastly (4) the artificial and conscious inventions, wild and fantastic tales, adapted to the simple and childlike tastes of an uneducated audience.

Through all the legends there are certain assumptions, or admitted facts, which must represent the condition of things in which the legends themselves sprang up. The most remarkable of these is, that the Gaelic people never claim to be Autochthones, but had arrived from foreign parts, and assailed, conquered, and dispossessed a pre-existing population. The sovereignty of the island being founded in the popular mind upon invasion and conquest, an anterior invasion and conquest were attributed to those who themselves had been dispossessed by the Gael. Hence arose the purely imaginary legends of the successive invasions of Ireland ; and these, probably, to account for the identity of the inhabitants, were at an obviously late date supplemented by the gross fictions by which the successive invaders are represented as issuing from one original stock in Ireland, and, having gone or been driven forth thence, returning to repossess themselves of their ancestral land.\*

The legend of the invasions appears in all its simplicity in the song of Fintan, who was supposed to have been one of the first

\* See Note II., at end of chapter.



colonists, and to have lived through and witnessed all intervening events down to the date of Patrick.\*

## I.

“Should any one enquire of me about Eire,  
I can tell most accurately  
Respecting every invasion which took place  
From the beginning of all-pleasing life.

## II.

“Ceasair set out from the East,  
The woman who was the daughter of Beatha,  
Accompanied by fifty daughters,  
And also by three men.

## III.

“The Deluge came on.  
Beth resided at his mountain without secrecy,  
Ladra at Ard Ladran,  
And Ceasair at her corner.

## IV.

“As to me I remained a year under the flood  
At Tul Tinnde of strength.  
There had not been slept, nor will there be slept,  
A sleep better than that which I had.

## V.

“I was then in Ireland;  
Pleasant was my condition.  
When Partholon arrived  
From the Grecian country in the East.

## VI.

“I was also in Ireland  
While it was uninhabited,  
Until the son of Agnoman arrived,  
Neimead of pleasant manners.

## VII.

“Fir Bolg and Fir Gaillian  
Arrived a long time afterwards.  
The Fir Domnan then arrived,  
And landed at Irrus westward.

[\* Transactions, Ossianic Soc., Vol. V., p. 244.]

## VIII.

“ After them the Tuatha De arrived  
 Concealed in their dark clouds ;  
 I ate my food with them,  
 Although at such a remote period.

## IX.

“ Then came the sons of Milead  
 From Spain southward.  
 I lived and ate with them,  
 Though fierce were their battles.

## X.

“ A continuity of life  
 Still remained with me,  
 For in my time Christianity was here established  
 By the King of heaven of the clouds.”

A comparison of the genealogies of the leaders of the successive invasions at once exhibits them as merely territorial genealogies, and, to a great extent, mere repetitions of the same, with a variation in the names. The event of the last and actual invasion was related over and over again, and referred to more and more distant periods, until at last the Christian monastic chronicler reached a point at which, according to the Scriptures, and their received chronology, the island must be assumed to have been unoccupied. The series of successive invasions was admirably capable of being expanded, and was expanded by the introduction of battles and other events which gave to what was originally a mere skeleton or outline the full details of an actual history; and these supplementary tales and legends being all of native growth, and therefore a correct local colour and accuracy of geographical detail, gave to the chronicle, as ultimately constructed, a most deceptive air of simple veracity.

Whether the Fomorians, or Tuatha de Danann, ever existed, there can be little doubt that the Milesians, or Irish Celts, a tall, fair-skinned, light-haired race, arrived in Ireland as foreigners, and conquered and retained in subjection the smaller dark-skinned,

black-haired Firbolgs.\* The existence and gradual subjugation of the original race have left distinct traces in legendary history; hence are derived the legends of the revolts of the servile classes, known as the Aitheach-Tuatha, corrupted into Attacotti. Thus, when Tadhg, the son of Cian, had a son named Cormac Gaileng, who fell under the displeasure of his father, he obtained a district which had previously been inhabited by Firbolgs or Attacotti; traces of their name linger in local nomenclature, as in the parish of Touaghty, in the barony of Carra. The three Collas, in their invasion of Ulster, are aided by seven "Catha" or battalions of the Firbolgs of Connaught; and in this latter province, within the historical periods, certain families traced their descent from the aboriginal inhabitants.† In these legends we may suspect an obscure tradition of the contest between the intruding Aryan Celts and the previous Iberian inhabitants; and although nought, save a slight philological taint in the verb declensions, give ground for the suspicion of Iberian influence affecting the Irish language, we may identify an original Iberian population with the servile class, denounced in the Book of Rights in the passage:—

"From the servile tribes of *ignoble countenance*,  
 Who fly with the rent from the land,  
 Thrice as much is due  
 As they had carried off from their fatherland."‡

The original Celtic conquerors of Ireland seem to have comprised tribes of both the great divisions of their nation, both Gaelic and Pictish tribes, the latter designated in Irish history by the name of Cruithnigh. The division of the island into two portions, referred to by Bede, may indicate the two origins of its inhabitants; but be this as it may, the Irish chronicles attribute the Kings of Ulster, who reigned at Emania, near Armagh, and the glories of the heroes of the Red Branch (*Craebh-ruadh*), to the Pictish or Cruithnigh race. The overthrow of this Pictish monarchy, and the destruction of Emmania, were effected, as the legend

\* See Note III., at end of chapter.

† See Note IV., at end of chapter.

‡ See Note V., at end of chapter.



tells us, by the three Collas in the year 331 ; and the Cruithnigh of Ulster were henceforth confined to the district of Dalaradia, in the east of Ulster. Although the name of Cruithnigh is subsequently applied to some of the inhabitants of that district, the Pictish population must have been subsequently absorbed, or gradually driven out, for their name disappears from Irish history, and thenceforth the Celtic population (or at least the ruling class) must be considered as purely Gaelic.\*

\* See Note VI., at end of chapter.

---

## NOTES TO CHAPTER II.

---

### NOTE I.

*Sed vide* an ingenious attempt to connect the legend of King Dathi's projected invasion of Italy and death, with the known history of the Roman Empire at that date, by Sir S. Ferguson, in the *Proceedings of the Royal Irish Academy*, Vol. II., Series II., p. 167. He is obliged, however, to put the place of Dathi's death in Rhaetia, instead of in Gaul, as the ordinary Irish accounts do, and to connect it with a Hunnish or Scythian (*i.e.*, Slavonian) invasion of Thrace or Illyricum.

---

### NOTE II.

An account of the sources from which the legends as to the early history of Ireland are derived, and the substance of the legends themselves, are very fully given in O'Curry's *Lectures on the Sources of Irish History*, a work most valuable for the matter contained in it, and written in a very candid, but not very critical, spirit. These legends are given as undoubted history in all the old Histories of Ireland, such as Keating's, and are briefly, but most admirably, told as legends, in Lady Ferguson's excellent little work, *The Irish before the Conquest*. A good summary of them is given in Vol. II., chap. iii., of Skene's *Celtic Scotland*, a book of great value, as regards the history of the earlier as well as of the later Scotia.

---

### NOTE III.

This small, dark-haired race is generally recognised now by anthropologists as that whose remains are found in the "long barrows" of the neolithic period in Britain and Ireland, and the type of whose

skulls is thus described by Dawkins' *Early Man in Britain*, p. 311 : "Fair average capacity, and of the long or oval type, the length being due to a development of the back of the head, termed by Dr. Broca, 'dolichocephalie occipitale,' as distinguished from the 'dolichocephalie frontale' of other races. The outline of the features oval, the superciliary ridges being less strongly marked than in the 'round skulls' of the bronze period. The upper and lower jaws small, and the lower part of the face not projecting beyond a vertical line dropped from the forehead. The nose was aquiline, and the forehead low, as compared with that of the round skulls."

This aquiline-featured, long-headed, small-boned, and slightly-made type, is very characteristic of the native Irish population in many districts, especially, although not exclusively, in the west and south-west, where it is frequently spoken of as Spanish, and popularly attributed to a modern infusion of Spanish blood—an imaginary cause to explain a real and probably racial resemblance.

The dark hair of Irish people of this type is, however, more usually associated with blue, or bluish-grey, than with dark eyes. Persons of this physical type seem, as a rule, to have the characteristic Irish gift of quickness of apprehension, and ready, fluent, and eloquent speech, especially developed.

In some places, particularly in north Connaught, the specially Firbolg district, this type is intermingled with one of still smaller stature and Mongoloid features, possibly pointing to a still older Turanian stratum of population, surviving, it may be, from palæolithic times. (The same type exists in the Highlands of Scotland. See MacLean, *Anthrop. Rev.*, Vol. IV., p. 218.)

The type of skeleton which has been identified by Thurman and Huxley as the old Celtic is totally different. It is thus described by Dawkins (*Early Man in Britain*, p. 318)—"They were bigger than the preceding, averaging, for the adult male, 5 ft. 8 inches in height, according to Dr. Thurman. The skulls were broad and round (brachycephalic), the supra-occipital tuberosity, or "probole," prominent. The supraciliary ridges more prominent than in the oval skulls. The face, instead of being oval, is angular or lozenge-shaped, and the upper and lower jaws are so largely developed, and projected so far beyond the vertical line dropped from the forehead, that the term "macrognathic" has been happily applied to them by Professor Huxley. The forehead is broad and expanded."

This physical type, in every detail, is still met with in Ireland,



especially in Ulster, and those parts of Leinster which formed the old kingdom of Meath. Persons of it have frequently, indeed usually, but not always, red hair. It is not now, however, I think, anywhere very common among the native Irish population, although it is among the Scotch colonists in Ulster. In the bulk of the Irish population the asperities and angularities of this type have been softened down, probably by a mixture of Iberian blood. The "macrognathism" of this type, while popularly supposed in England to be characteristic of the Irish face, and always appearing in the Irishmen of an English caricature, is really not common in the Irish, although very common in the lower type of Scotch face. Indeed, if we compare Ireland with those parts of Great Britain which now speak, or within the last thousand years spoke, a Celtic language, and call the physical types I have mentioned respectively "Iberian" and "Celtic," Wales is typically Iberian, Scotland typically Celtic, while the two types are intermingled in Ireland in proportions varying in different localities, but, upon the whole, the Iberian preponderating as far as the native Irish population is concerned.

The Irish population has now been, in most parts of Ireland, largely affected by the successive settlements of Danes and Norsemen in the ninth and tenth centuries—Frenchmen, Welshmen, and Flemings, in the time of Henry II. and John—English and Scotch settlers under Elizabeth and James I.—Cromwell's soldiers and William III.'s French Huguenots and German Palatines; and it is often thought the height of stature and fairness of hair show the blood of some of these newer colonists, but this is a vulgar error. They may just as well show pure Celtic blood. No doubt the population of Tipperary, the tallest in Ireland, is largely English in blood; but in Clare, and parts of Kerry, where the population is Irish, without any appreciable trace of English or Danish blood, the people are tall and usually fair-haired.

---

#### NOTE IV.

Duald (*Anglicized*, Dudley) M'Firbis, who wrote in the reign of Charles II., describes the physical and moral character of the three races living in Ireland, in his *Book of Genealogies* (given in O'Curry's Lect., p. 223)—"Everyone who is white (of skin), brown (of hair), bold, honourable, daring, prosperous, bountiful in the bestowing of property, wealth, and rings, and who is not afraid of battle or combat,

they are the descendants of the sons of Miledh in Erin. Everyone who is fair-haired, vengeful, large, and every plunderer, every musical person, the professor of musical and entertaining performances, who are adepts in all Druidical and magical arts, they are the descendants of the Tuatha De Danann in Erin. Everyone who is black-haired, who is a tattler, guileful, talebearing, noisy, contemptible; every wretched, mean, strolling, unsteady, harsh, and inhospitable person; every slave, every mean thief, every churl, everyone who loves not to listen to music and entertainments, the disturbers of every council or assembly, and the promoters of discord among the people—these are the descendants of the Firbolg, the Fir Gaillian of Liogarnè and of the Fir-domnan in Erin. But, however, the descendants of the Firbolg are the most numerous of all these. This is taken from an old book."

He further says that in his time there were families in the county of Sligo which traced their pedigree to the Firbolg, but never could do so to the Tuatha de Danann. It is not easy, in dealing with the writings of a genealogist and antiquary of the seventeenth century, like M'Firis, to say how much is observation of existing facts, and how much merely derived from tradition or speculation; but it is certainly observable, that while in this description the moral character attributed to the descendants of the Firbolgs is merely the expression of the contempt of the conqueror for the conquered race, the physical type is the Iberian, as distinguished from the Celtic, and that which, in the present day, is most general in that part of Ireland where M'Firis lived, and especially refers to, the northern half of Connaught; and the type attributed to the legendary Tuatha de Danann agrees with that of the large-limbed, red-haired Caledonians described by Tacitus, the later Picts, or the Cruithne of the Irish, and the ancestors of a large, if not of the great bulk of the Scottish people, whose physical type resembles, more than the ordinary Irish type, the "barrow" Celtic type. The brown-haired Milesians are the Scots, as distinguished from the Picts or Cruithne, the intermediate type, now, as in M'Firis' day, constituting the bulk of the population of Ireland, and probably derived from a mixture of Celtic and Iberian blood like the Celtiberians in Spain.

---

NOTE V.

The following description of the Irish people was given in the first lecture of Dr. Richey's *Lectures on Early Irish History*, for which lecture this and the following chapter have now been substituted:—

“ Whatever may be the nature of the early immigration into Ireland during the historical period, the inhabitants of the island appear as a pure Celtic race. There is no such difference of language or structure among them as would authorize us in attributing any portion of them to a separate origin.

“ Who were the Celts, and what their peculiar characteristics ?

“ It is difficult fairly to answer this question. The Celts are generally considered as one of the beaten nations of the world—as the great historical failure. It may be doubted whether past history justifies this opinion, still more whether future history will confirm it. As the necessary consequence of the prevalence of this idea, German and English historians have studiously depreciated the Celts ; and, in opposition to them, Irish writers have as extravagantly praised them. When we first hear of the Celts, they appear as a great and conquering nation. Thronging the valley of the Danube, they thence flooded Gaul, and broke into Greece and Italy ; from Gaul they spread northward, and occupied the British Islands. For ages they were a terror to the Greek, and equally so to the Roman. They were the great recruiting ground from whence the Carthaginians and other nations hired their mercenaries ; but suddenly the whole Celtic nationality was crushed. They were hard pressed by the Germans on the east, when Cæsar assailed them on the south : a few short years saw Gaul conquered and civilized, according to Roman ideas. The fate of the Celts in England was similar to that of those in Gaul. The only independent remnant of the nation were the Irish Celts, and those who still held out in the north of Scotland.

“ Was it the peculiar character of this nation which led to this catastrophe ? Two characters have been drawn of the Celtic people—the one most hostile, by Mommsen, their depreciator ; the other friendly, by Monsieur Thierry, the historian of the Gaulic Celts.

“ The following passage occurs in the seventh chapter of the fifth book of Mommsen's *History of Rome* :—‘ All was over with the Celtic nation ; its political annihilation had been completed by Cæsar ; its national annihilation was already begun, and in regular progress. This was no accidental destruction, such as destiny sometimes prepares even for people capable of development, but a self-incurred, and, in some measure, historically necessary catastrophe. The very course of the war proves this, whether we view it as a whole or in detail. When the establishment of foreign rule was in contemplation, only single districts, mostly German or half-German, offered energetic



resistance. When the foreign rule was absolutely established, the attempts to shake it off were either undertaken altogether without judgment, or they were to an undue extent the work of prominent nobles, and were therefore immediately and entirely brought to an end with the death or capture of their leader. The sieges and guerilla warfare, in which, elsewhere, the whole moral depth of a nation's struggle displays itself, were and remained in the Celtic struggle of a peculiarly pitiful character; every page of Celtic history confirms the severe saying of one of the few Romans who had the judgment not to despise the so-called barbarians, "that the Celts boldly challenge danger while future, but lose their courage before its presence."

"In the mighty vortex of the world's history, which inexorably crushes all nations that are not as hard and flexible as steel, such a nation could not permanently maintain itself. With reason, the Celts of the Continent suffered the same fate at the hands of the Romans as their kinsmen in Ireland suffer down to our own day at the hands of the Saxon—the fate of becoming merged as a leaven of future development in a politically superior nationality. On the eve of parting from this remarkable nation, we may be allowed to call attention to the fact, that in the accounts of the ancients as to the Celts on the Loire and Seine we find almost every one of the characteristic traits which we are accustomed to recognise as marking the Irish. Every feature reappears; the laziness in the culture of the fields, the ostentation, the droll humour, the hearty delight in singing and reciting the deeds of past ages; the most decided talent for rhetoric and poetry; the curiosity—no trader was allowed to pass until he had told in open street what he knew or what he did not know; the extravagant credulity which acted on such accounts; the childlike piety which sees in the priest a father, and asks him for advice in all things; the unsurpassed fervour of national feeling, and the closeness with which those who are fellow-countrymen cling together, almost like one family, in opposition to a stranger; the inclination to rise in revolt under the first chance leader that presents himself, and to form bands, but at the same time the incapacity to preserve the self-reliant courage, equally remote from presumption and from pusillanimity—to perceive the right time for waiting and for striking—to attain, or even to tolerate, any organization, any sort of fixed military or political discipline. It is, and remains at all times and all places, the same indolent and poetical, irresolute and fervid, inquisitive, credulous, amiable, clever, but, in a political point of view, thoroughly useless nation; and, therefore, its fate has been always and everywhere the same.'

“ Contrast with this the character of the same nation, as drawn in the Introduction to the first volume of the *History of the Gauls* :— ‘ The characteristics of the Gaulic family—those which distinguish it the most, in my opinion, from other human families—may be summed up as follow : Personal bravery unequalled amongst ancient nations, a spirit free, impetuous, open to all impressions, remarkably intelligent ; but, side by side with this, an extreme susceptibility, want of perseverance, marked dislike to the idea of discipline and order (so strong among the German nations), extreme ostentation, and, in fine, perpetual dissension, the fruit of excessive vanity. If we desire to compare, in a few words, the Gaulic nation with the Germans of whom we have been just speaking, we might say that among the former the personal sentiment, the idea of self, is too much developed, and among the latter it is too little so. Thus in every page of the history of the Gauls we find original characters which vividly excite and concentrate upon themselves our sympathies, while they cause us to forget the existence of the masses of the nation. It is otherwise in the history of the Germans, where it is from the masses generally that great national movements originate.’ ”

“ Two characters of the Celtic race are thus laid before us—the one hostile, the other friendly. If I were addressing an English audience, I should not, perhaps, have read in full the passages from Mommsen ; but, speaking to an Irish audience, it is better to present to them the uncomplimentary remarks of a German historian.

“ The unfriendly criticisms of a neighbour, equally intelligent, and fully as prejudiced as ourselves, are useful in teaching us the weak points of our character : it is well to know what our neighbours think of us. Yet it may be fairly contended that the failure of the Celtic race is not so much attributable to the inferiority of their organization to other races, as to the fact of their possessing, to a certain degree, a higher organization. The key to the latter character may be found in their peculiar susceptibility. As contrasted with the Teuton, the Celt possesses a peculiar susceptibility of emotion, and a peculiar rapidity of perception, so much that it may be almost said that an idea has passed away from the mind of a Celt before a Saxon begins to understand it all. But this has an unfortunate result in practice, because it too often amounts to an incapacity of holding an idea for a long period. One thought rapidly conceived is as rapidly effaced by another, which produces an equally vivid and transient impression. The Celt conceives ideas rapidly and clearly, but forgets them as easily.

He is brilliant, but not persevering ; his thoughts are vivid, but not enduring. This is marked in the whole history of the Gallic race, and particularly in the want of tenacity exhibited by them in their struggles with Rome, and in modern history by the half-Celtic French in many of their wars. The broadswords of the Gallic hosts, with one rush, swept the Roman legions from the battle-field of the Allia ; but their army sickened in the blockade of the Capitol, and, for a paltry ransom, spared their future destroyer. The fate of Gaul was decided by the siege of Alesia, and their independence perished in one short struggle. The character of their national resistance was embodied in their last hero. Upon this point may I again cite Mommsen ? ‘ As Hannibal stands at the close of the Phœnician history, so does Vercingetorix at the close of the Celtic ; they were not able to save the nations to which they belonged from a foreign yoke, but they spared them the last disgrace of an inglorious fall. The whole ancient world presents no more genuine knight, whether as regards his essential character or his outward appearance, but man ought not to be a mere knight, and least of all the statesman. It was the knight, not the hero, who disdained to escape from Alesia. It was the knight, not the hero, who gave himself up as a sacrifice. It is impossible to part from the noble King of the Arverni without a feeling of historical and human sympathy ; but it is characteristic of the Celtic nation that its greatest man was, after all, merely a knight.’

“ At the end of the fifteenth century, the French swept all resistance before them in Italy. The Italians dreaded the astonishing *furia Francese* ; but after a few months every French conquest collapsed, from the want of steady perseverance.

“ The same characteristics appear in Celtic art and literature. Irish poetry consists of exquisite lyric outbursts ; but, alone of all nations of Europe, the Celts do not possess an epic poem which takes an acknowledged place in universal literature.

“ As to Celtic music, the separate airs handed down from remote antiquity are unequalled in variety, tenderness, and expression ; but Irish music has never risen beyond an air ; operas, oratorios, and concerted pieces have been produced by people of inferior sympathies, but greater industry.

“ In Irish architecture, the most exquisite and elaborate carvings are lavished upon buildings of insignificant size. Cormac’s Chapel, on the Rock of Cashel, the largest of ancient Irish buildings, excels, certainly rivals, any French or English-Norman work, but its size is that of an



ordinary church. It was for a patient, hopeful, long-enduring people to raise the cathedrals of the middle ages, the foundations of which were laid by those who knew that their grandchildren would never see their completion. The toil of now nigh six centuries expended on Cologne Cathedral testifies the faith and perseverance of the German people. The fierce impulse of Celtic art expended itself in the carving of a doorway, or the illumination of a manuscript.

"The chief political historical characteristic of Celtic nations is a want of perseverance in exertion to attain a given end, and inability permanently to unite for any definite object; but want of active perseverance must be distinguished from what we may call the passive resistance in old ideas. Though the Celts do not exert a continued effort to accomplish a given object, yet they will cherish a fixed desire to attain that which they have failed to accomplish. Ancient traditions and national longings form the staple of their political ideas to such an extent, that they do not appreciate existing circumstances, and fail to adapt themselves to an altered state of things."

---

#### NOTE VI.

'It would probably be more strictly accurate to use the term "Scotic" where "Gaelic" is used in this passage; for Mr. Skene (*Celtic Scotland*, Vol. II., p. 194, *et seq.*, and *Four Ancient Books of Wales*, Vol. I., chap. viii.) has, I think, proved, as far as the comparatively scanty materials existing allow of proof, that the Pictish was merely a subdivision of the Gaelic race, as the Welsh and the Cornish are subdivisions of the Cymric, although the Pictish language seems to have possessed some forms resembling the Cornish branch of Cymric. The disappearance of the Pictish language before the Scotie or Erse form of Gaelic took place equally in the Highlands of Scotland as in Ulster, and certain names of places in Antrim and Down, resembling Cymric rather than ordinary Irish form, *e.g.*, the parish of Glenavy, *recte* Lanavy, in Antrim, and Comber (Confluence), resembling the Welsh "Conber" rather than the Irish "Comar," usually Anglicized "Cummer," are possibly Pictish survivals.

## CHAPTER III.

---

### THE SOCIAL ORGANISATION OF THE EARLY IRISH.

THE Conquest of Britain was effected by numerous and perfectly independent settlements of Teutonic tribes, and the Heptarchy itself represents the consolidation of many previously independent communities. It is remarkable that all the Irish legends acknowledge all common nationality and central government. Amidst all the constant hostilities and civil wars which form the staple of Irish history, there is a recognition of the sovereignty of the Ard-Righ, as the head of a dimly conceived nationality; and the palace of Tara, and the adjoining district of Meath (until the destruction of Tara in 565), are in some sense regarded as the centre and symbol of the national unity, the metropolis of the Gaelic race. The political development of the English conquerors of Britain, and that of the Gaelic conquerors of Ireland, seem to have moved in exactly opposite directions. The originally independent Teutonic communities in England underwent a long process of consolidation before the date of the Heptarchy, and the seven kingdoms were ultimately absorbed into the kingdom of England, under the West Saxon monarchy, in the middle of the tenth century. The Gaelic legends and genealogies prove, at least, a continued belief in an anterior national unity; and during the historical period, there was in operation a continuous disintegrating force, which, from the date of the destruction of Tara, rendered the existence of any central government impossible, and divided the island into innumerable insignificant, but independent, communities. The political unit was throughout the village community or

clan ; an increase of population was met by the formation of new and separate communities, as the Russian mir throws out new and independent, although related, mirs.

The difficulty in understanding any ancient social organisation, such as that of the Irish Gael, arises from the necessity of conceiving a society founded upon principles not only unfamiliar to us, but absolutely contradictory to those which we believe to be of universal application and primary necessity. It requires an effort so completely to cast off modern prejudices as to realise a community without a government or executive ; without laws, in the modern sense of the term ; in which the individual had no rights save as a member of a family ; the trade of which was carried on without currency, and uninfluenced by the laws of political economy ; in which private, or rather individual, property was scarcely existent ; and yet, in the absence of all that we now imagine to be essential to the establishment of a community, was not a chaos, but firmly knit together, and regulated in the minutest details of everyday life by an undefined and unaccountable concurrence of all its members in certain inarticulate rules as to their conduct in the ordinary circumstances of life, the sum of which is expressed in the word " custom."

Futile disputes, as to early Irish civilisation, and bitter controversies as to the ancient Irish Church, have arisen by writers of modern date, regarding ancient events from the standpoint of their own period, and approving or condemning the acts or habits of remote centuries by their accordence with, or variance from, modern rules of the most temporary and conventional nature. Although the majority of every generation of men believe their ancestors to have lived, and that their descendants will live, after the same manner as themselves, yet the moral and political ideas, the tastes and habits, of a nation are ever, more or less rapidly, changing ; the wisdom of the grandfather is folly to the grandson. And the English writers of the sixteenth century could denounce as a " damnable custom " the rules of tanistry and the redistribution of tribe lands, identical with the customs of their own ancestors, and which, even at their own date, continued among themselves in the form of local customs.

It is impossible to judge the conduct of an individual without a



knowledge of the education which he has received, and the circumstances in which he is placed ; or that of a nation, without estimating the degree of the development of their political and moral ideas, and their greater or less capacity of accepting new ideas, and adapting themselves to altered circumstances. In the struggle for existence between hostile races, the result depends mainly upon the extent to which they have respectively developed their political ideas, and their respective advance in material civilisation. Why and how the Irish Gael struggled with the English for five hundred years for the possession of Ireland ; why they protracted the contest during so many centuries, and yet never had any reasonable prospect of success ; why they were invariably defeated, and yet never effectually subjugated ; why, after every disaster, they revived a contest always hopeless and continuously indecisive—is the problem of Irish history, and the difficulty of the question cannot be realised, much less solved, without a full consideration of the political and social system of the Gaelic tribes, their customs, character, and mode of civilisation.

The unit of the social system of the Irish Gaels was the “tuath” or tribe, consisting of a greater or less number of individuals, actually descended, or conventionally assumed as having descended, from a common ancestor, and occupying a definite district as the common property of the community. Their bond of unity is exclusively their real or supposed consanguinity, and is absolutely independent of the possession of any definite lands. The tribe may migrate from one country to another ; may be driven out of its district, or conquer that of another ; but its unity is not thereby destroyed, and the rights of the individual members are in no manner affected. Consanguinity is the essence of the clan ; joint possession of land is an accident ; hence the “tuath,” in its primary sense, means the aggregate of the individuals forming the clan ; in a secondary sense only, the lands occupied by the tribe in joint possession. This idea of kinship, as the basis of the political system, is the precise antithesis of that now universally adopted in Europe. The right of any member of a clan to a share in the tribe land arises from his real or assumed descent from the original ancestor of the entire community ; his rights and obligations are referable to his admitted relationship to the other members of the

community. Residence within the territory in itself confers no rights and entails no obligations; absence from the territory cannot affect the rights of an acknowledged member. Although a tribe might claim, and enforce its claim to, the exclusive possession of a district, the ownership by the tribe of a specific tract of land was a mere accident, and it existed independently of, and had no necessary connection with, any particular place.

The difficulty in realising a society resting upon such a basis arises from our modern ideas of sovereignty and jurisdiction being founded upon the opposite theory. The direct result of the feudal system was to render all jurisdiction local in its origin, and at once to extend the idea of sovereignty over, and, at the same time, to restrict it to, a specific and defined district. Thus we have Emperors of Russia and Austria, Kings of England and Italy, Republics of France and Mexico, &c.; every individual within the geographical limits indicated by these names is, by virtue of even a temporary residence, subject to the jurisdiction of the local authority; and all born within these limits are entitled to the rights of members of the community simply by the accident of the place of their birth. The difference of the titles, King of the English, and King of England, is not a mere matter of form, but indicates a substantial change in the theory upon which society is constructed.

A dry statement of the rules by which an ancient clan was constituted, the various classes of the community arranged, their respective rights ascertained, and property divided, conveys but little information to a modern reader; the theory which underlies it is so foreign to our ideas that its rules seem to be wholly unmeaning, and its distinctions fantastic; all forms of society, however, are the natural result of antecedent causes, and customs are never wantonly, and without reason, introduced; hence, even in the case of the complex institution, if the origin and history of a society can be ascertained, the ultimate form of its institution, however complicated, will be discovered to be the inevitable result of the circumstances under which it originated, and the influences to which it was exposed. The Irish tribal system was merely the western survival of the original form adopted by all tribes of the Aryan branch of the human race; and the ancestors of the English writers who, in the sixteenth century, denounced it as barbarous

and anomalous, or who, in the eighteenth century, were wholly unable to understand or explain it, at no very remote period, lived under institutions of practically the same nature.

The tribe can be understood only by treating it as a development of the archaic family, which, historically, we are entitled to do; and the conditions of a nation such as the ancient Irish may be realised by considering the whole nation as either the natural expansion of an original, or an aggregate of several and cognate tribes.

By the term "family" must not be understood a family, in the modern sense of the term, living in a fixed residence, protected by an established government, and subject to definite external rules, but a household, established in some new country, or journeying on westward in the great migration of our race, relying upon itself alone for safety, and emancipated from, rather never subjected to, the control of any external authority. A family, under such conditions, consists primarily of the father, his wife or wives, and his sons and daughters; and, secondly, of other inferior members not connected in blood with the father, retainers, slaves, or guests, or temporary sojourners. The property of the family would be the beasts of burden, cattle, and agricultural instruments, or furniture used for the common benefit of all, and dresses, ornaments, arms, &c., the use and enjoyment of which must, more or less, be referred to individual members. The cohesion of the family arises from the necessity of the case; the member, whatever his position, who left the family could have no means of subsistence or guarantee of his safety: the external sign of its unity appears generally to have been some private worship and peculiar religious ceremony. Such a family consciously exists, and can exist only, as an organised body; the co-operation of each of its members is essential to the well-being of all who, accepting their distinct positions and relations to each other, enjoy, by virtue of their membership, the advantage of mutual assistance and maintenance.

The affairs of such a community are necessarily managed by the father, despotically in appearance, but really in accordance with the ideas of the members; but this authority, in relation to persons and property, must be the inverse of the power of a father in a civilised community; over the persons of the members his power



would be unrestrained, but over the property, in the absence of markets and neighbours, he would exercise no right of sale or disposition, being, in fact, nothing more than a manager of the common stock for the benefit of all. During the life of the father, all the members must remain equally subject to his authority; but upon his death there arises a clear distinction between his sons, or blood relations who may succeed to his position, and the members not of the blood of the father, who, in no instance, appear to have established a right to the succession. The eldest or most capable of the blood of the deceased father, appears generally to have succeeded, with the tacit consent of the members; and thus a family may, for a considerable period, be continued under successive heads, the association of persons constituting the family remaining the same, the only change being, to use a modern phrase, the substitution of a new for the former manager.

In a modern society, upon the death of the father, the family is necessarily broken up, and the property of the deceased is divided among his next of kin, or distributed according to his will. In the case of an archaic household, no such consequence followed the death of its head. The family still subsisted, and might perpetually continue to exist, although a new head was substituted for the former. This corporate character of the family is the most essential characteristic of ancient law, and is assumed in all the rules regulating the disposition of, and the succession to, the property.

A time must arrive when every family becomes too numerous to be constituted as one household. This date, in every case, depends upon their mode of life and nature of their residence. The original family splits up into two or more, or some descendant of the original father goes out with a portion of the property and followers, and founds a new household, complete and independent within itself, but yet acknowledged to be an offshoot of the original household. When this process has been frequently repeated, we find a number of families, related to each other by the descent of their respective heads from the original father, and probably participating in a common worship, united by the tie of consanguinity against strangers, and acknowledging reciprocal rights and obligations, thus constituting a tribe in the original sense of the term.

A tribe thus formed is an aggregate, not of individuals, but of

families ; technically the association consists of the heads of houses only, who constitute the original patriciate. The members of each household other than its head have no status in the tribe except their membership in the family, the head of which represents them in the primitive assembly ; but however absolute may be the authority of each head of a family over its members, we find that when the tribe is collected together for war or peaceful purposes, the descendants of the original founder form a class distinct from the general body of the tribe, constituting the sacred house or nobility, claiming, by virtue of the descent, certain privileges, inclusive generally of the monopoly of certain priestly functions and of the tribal chieftainship.

When we inquire what was the organisation of a tribe, it is first to be observed that the jurisdiction of each head of a family within the circle of his own family was not in any manner affected, and that, therefore, the disputes between members of the same family were originally outside the jurisdiction of the chief or general body of the tribe, and that the several families constituting the tribe being in themselves complete and independent bodies, the general body of the tribe had no such original jurisdiction as is possessed by a sovereign over individual subjects. The headship of the tribe, or aggregate of the families, in some cases remained in the members of the original family if it still subsisted, or the tribe chief might be chosen out of the descendants of the original founder, or the headship might remain among the heads of the existing families.

If two tribes or more thus constituted unite for the purpose of defence or invasion, the result is the formation of a new complex tribe, divided into clans, representing the original tribes. The same result followed when, as was often the case, a tribe broke up into two or more new tribes, united in an alliance by the fact of their original consanguinity.

If a tribe succeeds in conquering the territory occupied by a foreign population, an entirely new state of facts arises by which the organisation of the tribe is gradually approximated to that which existed in Europe within the historic period. The various families constituting the tribe settle themselves within the conquered district, within the space actually occupied by each family, within, as it is expressed in English, the house and curtilage.

The original authority of the head of the family continues unimpaired ; but the ground not so occupied for the residence of the respective families belongs to none exclusively, but is the property of the tribe, among the individual members of which it must somehow be distributed. A conquering tribe naturally attracts to it followers and adventurers not members of any of its families, and captures or subjects a proportion of the original owners. Thus there are introduced into or attached to the tribe a number of persons external to the original system of the tribe, and not within the control of, or represented by, any of the heads of families. A further result of a conquest by, or the emigration of, a tribe is a disparity of the wealth of the various families ; and as wealth, in the earlier forms of civilisation, can be expended only in the maintenance of retainers, there also must arise a corresponding disparity in the strength of the various families, and consequently, in their political influence.

By emigration or conquest the power of the chief increases more rapidly than that of any other member of the community. The extern followers of the tribe, refugees, and the remnant of the former inhabitants, attach themselves to the chief personally as the representative of the community, and are allotted holdings upon the portion of the conquered lands, which is invariably acquired by the chief as the endowment of his office, or are supported by him as his personal following, out of the produce of these lands. Political power is thereupon shifted to the portion of the community which possesses the preponderating physical force ; a new aristocracy is thereupon formed, consisting of the chief retainers of the chief and the heads of the wealthier houses, by whom the unoccupied tribe land is appropriated, and the members of the original tribe reduced to the position of peasants, if not of serfs—a process naturally accelerated by the union of several tribes under one chief or king, whether by conquest or otherwise. The destruction of the original tribes, and the despoiling of the legitimate tribesmen of both political power and property, seem to be the usual mode in which numerous small cognate communities are fused into a nation, and a central and civilised government ultimately established ; but the process is long and gradual—inevitable, but not unresisted, as being unjust to, and unpopular with, a considerable and determined class



of the nation. In this manner the English nation was slowly formed out of the numerous and independent tribes settled in Britain; and in this manner, but with great disadvantages and difficulty, an Irish nation was being gradually formed, when the course of natural development was checked by external causes.

The acknowledged difficulty in understanding the nature of the social condition of the Irish arises from the assumption, that the condition of the Irish tribe continued unaltered during the historical period. So far from this being the fact, the Irish tribe, at the earliest date at which we possess distinct information upon the subject, had been altered from its original form; it had then reached the stage at which wealth, representing physical force, had become the acknowledged basis of political power and private right, and the richer members of the community were rapidly reducing the poorer freemen to a condition little better than serfdom; and at the date of its extinction, the tribe had been finally supplanted by the military retainers and tenants or serfs of the chiefs. Such a social revolution is the result of constantly acting natural causes, and was not effected or accelerated by any conscious legislation, nor were new rules at any time publicly substituted for the immemorial customs; but the latter were gradually displaced by new modes of dealing, which, from continued use, themselves gradually were accepted as ancient custom.

The Brehon Law—the antiquity and authenticity of which will be afterwards explained—gave very full information as to both the internal organisation and external relations of the “tuath,” which has been already stated to have formed the political unit which was the foundation of all the institutions of the nation.

The several “tuaths,” or tribes, possessed each a distinct “tuath” or tribe land (these divisions probably corresponded more or less to the present baronies); but the ownership of the tribe land by the tribe was the possession by the tribe as a political body, not by the individual members of the tribe; the tribe possessed its tribe land in the same sense as the English nation owns England, and neither in one case or the other, does it follow that every individual tribesman or Englishman has or had a right to the exclusive possession of any portion of the land in question.

The population residing upon the tribe lands are primarily

divisible into two classes—(1) the full tribesmen, possessing acknowledged rights and a recognised position as members of the community, known in Irish as *Nemé*, and corresponding to the freemen of the Teutonic tribe; and (2) the numerous class not members of the tribe in the technical sense, having no recognised position or rights, except through the members of the tribe whose followers they were, or as followers, subjects or tenants, of the chief of the tribe: this latter class was described by the term "*feini*." That the latter and unprivileged class formed the mass of the population appears from the change in the term "*feini*," which, originally meaning the entire body of the people, was at a later period restricted to the unprivileged orders, the multitude, as contrasted with the minority, consisting of the upper class.

This division of the tribe into the two classes of the "free" and the "unfree," the patricians and plebeians—originally founded upon difference of origin—is easily understood, and occurs in all tribal communities, but the classification of the "*Nemé*," or the "free" class, proceeds upon an entirely different principle.

The subdivisions of the members of the "free" class, who all took the title of "*airè*," or noble, depended, not upon their descent, but upon the amount of their wealth, and not upon the amount of property simply, but upon the number of retainers which their wealth enabled them to maintain.

The lowest class in this hierarchy naturally was the freeman who possessed the lowest rate of property, and was known as the "*oc-airè*," or petty freeman. He was not wholly devoid of means, being described as having a house and a share, however small, in the common pasture; and if he acquired ten cows, he rose, as of course, into the next grade, known as that of the "*bo-airè*," or cow-possessing freeman.

These two classes were "free," but not noble; the higher classes were free and noble.

The four classes of the free and noble are described by the word "*flaith*"—a term which, in its original meaning, simply meant "the rich;" but their rank was not fixed by the amount of their wealth simply, but by the number of the retainers which their riches enabled them to maintain. They possessed not cattle only, but also "*deis*" right, which means a quasi-feudal lordship

over vassals acquired by the application of their wealth in the manner subsequently explained.

The society of the "free" members of the tribe was thus regulated partly by birth and partly by wealth; the lowest "*airè*," by accumulating property and acquiring retainers, might gradually rise into the class of *flaiths*; and a "*flaith*," by the loss of property and influence, might similarly descend into the lower classes; but a "*bo-airè*" did not become noble until he had acquired double the amount which qualified for the lowest noble class, nor did the children of an impoverished noble lose the privilege of "*flaithship*" until the third generation.

The extent to which social position in the tribe rose from the possession of wealth and the influence which it involved, appears from the elaborate classification of society made by the Brehon lawyers, in which the various classes of society are described as possessing each houses of specified sizes, and furniture and other property of graduated value. The Irish distinctly excluded the idea of birth as the basis of rank, and laid down "that two persons are of equal birth when they have the same fortune."\*

The means by which the wealthier classes firmly established their influence was the custom of lending out cattle—an institution which, until lately, was not satisfactorily explained, and by means of which a personal relation was created similar to that arising from grants of land in the feudal tenures.

In a thinly-populated country, occupied by pastoral tribes, the amount of pasturage available exceeded the supply of cattle; but, at the same time, the stock of a very wealthy member of a tribe might exceed the number of beasts which, as between himself and the other members of the tribe, he was entitled to put upon the common pasture land. Hence the poorer tribesmen might possess rights of pasturage, but lack the cattle necessary for the exercise of this right, and the wealthier, although pasturage was abundant, might find a difficulty in dealing with his herds. In a tribal society the idea would not occur that the wealthy should buy up the pasturage rights of the poorer members, and the difficulty was met by a system of hiring out cattle to those who needed them, upon certain

[\* See Note I., at end of chapter.]



definite customary terms, under which the wealthy obtained not only what we should now term facilities for the investment of their capital, but also personal rights over those who dealt with them. The simple hiring out of cattle did not in itself diminish the rights of the borrower; a legal relation was established between the parties, resembling that of a creditor and debtor, not that of a lord and vassal. The borrower discharged his obligations by the render of a certain proportion of the produce, and might sever the connection by the repayment of the loan; but at some early period the "flaith" class had combined with the simple transaction of hiring out their cattle a further process by which the borrower literally sold himself to the hirer, and permanently became his serf or vassal. In the system of compensation for personal injuries, which will be afterwards explained, every man was, according to his rank, entitled to an honour price, independent of, and in addition to, the damages payable in respect of the damage actually sustained, and the right to receive such personal satisfaction was an incident of the position of a free member of the tribe; hence, if on the occasion of a loan of cattle, the hirer, in addition to the amount of cattle lent, paid to the borrower the amount of the honour price of the latter, the hirer literally bought up the rights of the borrower as a free man; and the result of the transaction was that, as between themselves, the relation of lord and man was immediately established. By a contract of this nature, the rich man not only forced the poor to become his personal follower, but the duties to be performed by the latter were such as to enable the former to maintain an increased number of retainers; for one of the principal results of the transaction was to give the lord and his followers the right, at definite times, and for fixed periods, to be maintained at the house of the vassal. It was attempted to mitigate the oppression to which the vassals were subjected by the exercise of the right, by the establishment of various customary rules, which defined the period of the chief's stay, the number of his followers, and the quantity of food to be furnished by the vassal; but it is evident that no system was ever invented so beneficial for the establishment and maintenance of the powers of the rich, and so utterly destructive of the independence of the poorer classes. The difficulty of maintaining numerous personal retainers, which would otherwise have

arisen from the small size of the dwellings of even the wealthiest flaiths, and the difficulty in the collection of an income consisting exclusively of food, were thus obviated, and all resistance on the part of the vassal to the lord's demands was rendered impossible by the quartering upon them successively of the retainers by whom the food rents were to be consumed. In the fact that the connexion created by the "unfree" hiring of cattle was purely personal, and existed only between the parties to the contract, the nature of the transaction resembled that of a grant of lands under the feudal system, and the personal rank or wealth of the borrower was not an obstacle to his entering into this connexion. Ultimately, as the entire hierarchy of a feudal kingdom was built up upon the assumption that all landed property had been originally granted by the Crown in fee, so the Irish lawyers explained all political and social relations by the theory of an assumed cattle hiring, upon which all rights of all superiors, from the national king to the lowest flaith, were referred. Hence the influence of the rich was maintained by their compelling the poor to take cattle from them upon the terms of unfree hiring; and the superiority of a tribe over its neighbours was established by the chief of the dominant tribe compelling those of the subject communities to take his cattle.\*

The wealthy classes, at an early period, had increased and established their influence by the acquisition, in private property, of the unoccupied portion of the arable tribe land. A very clear distinction is drawn by the Irish lawyers between the arable portion of the tribe land still owned in community by the free members of the tribe, each of whom had a right to a definite, but not a fixed, portion for cultivation, and the absolute estates acquired by the flaiths in the residue of the territory. Not only did the appropriation of these lands enable the "flaith" to support an ever-increasing number of followers, but the peculiar custom under which they were held, in certain cases, prevented alienation, and constituted the descendants of the original acquirer into a quasi-corporation. If the owner of such land had four sons, the family constituted what was technically a "Geilfine," and remained, without partition, the property of all the descendants, according to certain complicated

[\* See Note II., at end of chapter.]

rules and rights of cross succession, until the stock had increased to the number of seventeen distinct families, under the rule of the "Geilfine chief," who represented the community, and appears, in many cases, to have possessed considerable influence. The origin of this custom is obscure, and its complicated rules have not been as yet satisfactorily explained; but it is clear that its effect, like that of the modern custom of family settlements, was to prevent alienation of the lands of the wealthy classes, and, by maintaining intact the wealth of the collective families, to support their political influence.\*

The privileges of the members of the "nemi" or the "aires" all rest upon that, the fact of their right to sit in the tribe assembly as freemen, representing the members of their families and those under their protection; hence, their right of giving testimony, affording asylum in their houses, and standing forward as the patron or representative of those under their protection. The position of the noble classes of the "flaiths," as contrasted with the free but not noble "aires," rests exclusively upon the former having acquired "deis" rights over the borrowers of their cattle; this difference is marked by the lowest class of "flaiths" being the "aire-desa," that is, a free man whose wealth enables him to hire out cattle to his vassals.†

The unfree portion of the tribe represents those who, in its original constitution, had no place in the tribe assembly as heads of households and assumed descendants of the supposed ancestor of the tribe. A member of this class had manifestly no legal right, as having no status, except through the patronage of one of the "aire" rank; thus, even at a late period, one of the inferior rank could not sue one of the "flaith" rank without one of the same grade accompanying him, and apparently, in the earlier period, he had no means of enforcing his rights except "fasting upon" the noble wrong-doer, and forcing him to do justice by the fear of Divine retribution. The unprivileged members of the community naturally included persons of the most diverse conditions of birth and wealth, from the noble exile from an extern tribe, who, as a

[\* See Note III., at end of chapter.]

[† See Note IV., at end of chapter.]



“fuidhir,” had a recognised position like the Athenian *ἰκέτης*, down to the personal slave, who could be bought or sold as a chattel. The more important classes of the unfree class were the resident foreigners (the “fuidhirs”), whose number was constantly recruited from the refugees from neighbouring tribes, and who, as a rule, formed the military retainers of the chief and the wealthy nobles; and the servile tenants, the subjects of the tribe, who probably represented the remnant of the conquered population.\*

The causes which increased the power of the “flaiths” acted with greater force in the case of the chief. In virtue of his office, he was entitled to a portion of the tribe land as an official perquisite, and, doubtless, secured the largest share of the cattle plunder. Upon the chief’s lands therefore were settled the majority of the “fuidhirs,” and his loans of cattle to the poorer class were the most numerous. Hence, in the case of the Irish tribes, the fortune of the chieftainship (or king) has been the opposite of that which was the case among most other nations whose progress can be traced onward from their original tribal condition. In the growth of society among Aryan tribes in Europe, as a general rule, the chief or king is deposed at an early period, and the political power passes into the exclusive possession of the free or patrician class. In Ireland the wealthy reduced the poor freeman to almost servile dependence upon him at a very early date; but the chief, increasing his own power after the same manner as the rich, the result was not an oligarchy, but an undefined and unregulated tyranny exercised by the chief, supported by a train of mercenaries, vassals, and fuidhirs over both free and unfree, rich and poor, alike.

In early communities there existed but little of what is now understood as law, and the legal functions, therefore, of even a powerful chief were meagre and indefinite. His position was rather that of the acknowledged head and representative of the tribe, and whatever rudiments of an executive, other than judicial authority, existed were all referred to him.†

The right to the chieftainship or kingship was confined to the

[\* See Note V., at end of chapter.]

[† See Note VI., at end of chapter.]

members of the original family, which was descended from the assumed founder of the tribe ; but the individual who was to bear the office was chosen from the members of the ruling house by the general body of the tribe itself. To an early state of society the rule of primogeniture was inapplicable, and at a time when the security of the community depended upon the military qualities of the chief, the minority of the ruler was considered as impossible. The office was hereditary in so far as it was confined to the members of the sacred house, but elective in so far as with the body of the tribe lay the selection of the eldest and most able member. The term "election" must, however, be used in a modified form ; the idea of different candidates being nominated, and the result being determined by the counting of individual votes, never was conceived by an early Celtic tribe. If an assembly was held for any public purpose, the result was obtained by the consensus of the whole body in some definite conclusion. The vote of the assembly was the public and official declaration of what had already been silently determined. Some one member of the house had already been accepted as the eldest and most able, or possessed such preponderating influence by his retainers and partisans that he assumed a position which was his own in fact, and obtained a legal ratification from the public assembly ; but if there were two competitors, both numerously supported by their respective factions, the result was decided simply by an appeal to force, of which the recorded instances are numerous, but not so numerous as might be anticipated, nor as would have occurred in wealthier or larger communities. In the early tribe, so long as the system was honestly worked, the number of the tribesmen was so small, and the territory so narrow, that the question to be determined by an assembly had been long previously settled among the members, and there was no doubt upon the decision of the meeting when it took place.

As an additional protection against the evils of a disputed election, the Irish tribes were accustomed, during the lifetime of a chief or king, to appoint his successor by the title of "tanist," who, upon a vacancy, succeeded without further question ; and the election, whenever it took place, was to the reversion in the office.\* The

[\* See Note VII., at end of chapter.]

effect of this system, identical with the election of the king of the Romans under the German emperors, would naturally lead to the office being confined to a narrower circle of candidates than the aggregate number of the descendants of the original founder, and render the office, to a considerable degree, an hereditary one.

The power of the chief or king was indefinite, and could not be defined by any enumeration of constitutional functions; he had no distinct priestly, legislative, or judicial powers;\* his authority rested upon the fact, that he represented and embodied the will of the community; so long as he was capable and popular, he would be supported in any act in accordance with public opinion; if he became incompetent and unpopular, his tenure of office and his life would be in peril, and he would be expelled by some other member of his family, with the approval of the community.

The chief foundation of the power of the chief lay in the possession by him of the portion of the tribe territory which was allocated as the demesne lands of the holder of the office. Upon these were quartered as tenants the followers of the chief—men not members of the tribe—the strangers, fugitives, and retainers, who were his “haus-carls”—men having no political status or legal rights, save through and under their lord—his clients—a hostile force quartered thus within and overawing the tribe, and ultimately, in the later Irish history, superseding it.

Traces of an originally sacro-sanct character still lingered about the idea of the office of chief or king. If he undertook any servile task, he forfeited, for the time being, the privileges of his rank; if he took in hand a clod-mallet, a shovel, or a spade, he was, so long as he used any of them, a plebeian; he should be always accompanied in the territory of the tribe, lest children not born to him should be fathered upon the ruling house.† A disgraceful wound or disfiguring injury rendered him incapable of exercising his office; thus Cormac Mac Art, when deprived of his eye, retired from his palace, to spend the rest of his life in solitude on the hill of Aicill.‡

[\* See Note VIII., at end of chapter.]

[† Crith Gabhlach, *Ancient Laws of Ireland*, Vol. IV., p. 335, and Introd., cciii.]

[‡ See *Ancient Laws of Ireland*, Vol. III., p. 83.]



In the ordinary course of life, the affairs of the tribe were silently regulated by the accepted rules of acknowledged custom, and the chief or king had probably but small duties to perform; but in any crisis the entire power passed into his hands as representative of the community. In disputes with neighbouring tribes he was sworn and bound on behalf of his tribe. In case of war, he commanded the warriors of his tribe. If the tribe were driven out of their original territory, or were broken up by a defeat, or reduced in number by a plague, he exercised some temporary dictatorial power for its reorganisation. His ordinary life was monotonous enough, and his principal duty was to maintain his influence by hospitality. "There are seven occupations in the 'corus'-law of a king, viz., Sunday, for drinking ale, for he is not a lawful chief who does not distribute ale every Sunday; Monday, for judgment, for the adjustment of the people; Tuesday, at chess; Wednesday, seeing greyhounds coursing; Thursday, at marriage duties; Friday, at horse-racing; Saturday, at giving judgments."\*

The mixed character of the Irish king, at one and the same time representing his tribe, and dominating it by the aid of his personal retainers, half a popular ruler and half a tyrant, is most clearly intimated in a passage of the *Crith Gabhlach*, which describes the arrangement of a king's house. At the south side of the house or hall stand the king's guards, the qualifications for which duty are very noteworthy. A guard, we are told, must be one whom the king has freed from the dungeon or the gallows, or whom he has selected out of the lowest ranks of serfs; he cannot be one saved from death on the field of battle, for "he might lay hands on the king, or slay him out of devotion to his own tribe chief." Four such devoted retainers, men without home, kin, character, or status, are posted round the king, one on either hand, one in front, and one behind; but even their fidelity cannot be relied upon, for behind them stands one of the hostages taken from the members of subject tribes, to protect the king against the treachery of his carefully selected guardsmen; and to secure the fidelity of this selected hostage, he must be a man of means, and his property should be deposited as a security in the hands of the

[\* *Crith Gabhlach*, *Ancient Laws of Ireland*, Vol. IV., p. 335.]

king. On the right hand of the king sit his guests, poets, and harpers; along the east wall his flute-players, horn-blowers, and jugglers; at the north end, facing the king, his champion, and at the door a "man of deeds," the two latter armed, to keep the door, and "against the confusion of the ale-house;" on the east side sat the hostages and judges, and at the king's right hand his wife; the unredeemed hostages, in chains, are posted at the north-east end of the room, on the right of the champion's chair. The general aspect of the hall was not very unlike that of a baronial castle in the middle ages; but the presence of the strange personal guards and the chained hostages implies a state of society which can be paralleled only in the pages of Gregory of Tours.\*

Below the chief or king the "flaiths" were arranged in a detailed and complicated hierarchy, based chiefly on their amount of property, and partly upon descent—upon the fact of hereditary wealth. By wealth was not meant capital, for none such existed, but the means of supporting retainers. The freeman could become a "flaith," and could rise from rank to rank in the noble class, if he had the proper amount of wealth invested in followers. Wealth in this system meant simple physical force, and the possessor of wealth represented a greater or less number of armed men, who had no political status in the tribe save through their patron. But the mere possession of such wealth did not in itself at once raise its possessor to the rank of which he had acquired the qualification, for the continued possession of the qualification for three consecutive generations was requisite to complete nobility; and, in the same manner, the loss of the qualification during three successive generations reduced the noble to an inferior position.†

The freemen, too poor to support retainers, were excluded from the "flaith," or noble class, but were again subdivided into a series of ranks, according to the amount of their property. It is difficult to understand the reason of this subdivision, unless introduced in analogy to that of the noble class, or as illustrating the

[\* Crith Gabhlach, *Ancient Laws of Ireland*, Vol. IV., p. 339; and see *Introd.*, ccv.]

[† See Note IX., at end of chapter.]

extreme predilection of the Irish for complicated arithmetical arrangement.\*

All the members of a tribe were thus arranged in a series of ranks based upon a property qualification, and the families, retainers, and guests of every individual shared in the rating of the head of the house; the rights and liabilities of each were determined by the step of the social ladder upon which he stood, and his position determined that of all those whom he was supposed to represent; and thus the value of the oath and of the pledge—the blood-price and honour-price—the amount of house and food rent to be paid to, or cattle to be taken from, a superior—could be worked out arithmetically from the “mbidnoth” person, the lowest freeman, to the “aire-forgaill,” the highest rank of the “flaiths.”†

That a social system is intricate and complicated is no ground in itself for doubting its existence as a custom in the case of an early tribe society; but there are serious grounds for holding that the details of the successive ranks in the Irish tribe do not represent the actual condition of such a community when the system was in actual use. The organisation of the tribe was, at an early date, broken up by the Danish wars, and the consequent disorganisation, and had almost disappeared in the sixteenth century, when the power had passed from the freemen of the tribe to the king or chief, and his retainers. The hereditary class of lawyers known as the Brehons recast the customs of the tribe in their later law books, and attempted to specify and enumerate the tribal hierarchy in accordance with the existing Orders‡ of the Church, to which they sought to assimilate them. Subsequent Irish antiquaries, under the mistaken idea that the Irish customs were anomalous and peculiar, adopted without hesitation these later writings as infallible authorities, and believed that their very complexities and difficulties were of the essence of the system. “The Book of Aicill” divides the tribe into six classes only, but the Crith Gabhlach into

[\* See Note X., at end of chapter.]

[† All these matters are stated in detail under each class in the Crith Gabhlach, *Ancient Laws of Ireland*, Vol. IV., 299, *et seq.*; and see Note X., at end of chapter.]

[‡ See “The Sequel to the Crith Gabhlach,” *Ancient Laws of Ireland*, Vol. IV., p. 363.]



seventeen, as also the tract known as the Sequel, but upon a different basis and with different names; but whatever were the number and names of the classes, there is no doubt as to the grounds and the consequences of the classification.

The portion of the Irish tribe system which has attracted most attention is the mode in which the judicial authority was withdrawn from the chief, and appropriated by the hereditary caste of the "Brehons," and also the supposed anomalous principles which they applied to the decision of the cases which came before them. The earlier English writers found no terms too strong to express their abhorrence and contempt of these native judges, and their contempt for the principles upon which they proceeded. On the other hand, Irish writers attributed to these professional arbitrators advanced principles of equity wholly foreign to an early community, and predicted that their decisions if examined would prove a mine of wisdom and philosophy. Nothing is so easy as to argue and predict as to a subject upon which all parties are necessarily ignorant. The translation of the existing vast mass of Brehon law books, and the translation of the most important of them by the order of the Government, have disposed of the assertions and arguments upon both sides. It is now admitted, that the system and principles of the Brehon jurisprudence present no characteristics of any special character, although in them primitive ideas of law were elaborated in a manner not found elsewhere; the Irish nation, from various causes to be recounted hereafter, never advanced beyond the tribal condition, and failed to develop into a nation with a central government and executive; the laws which existed among the native Irish were in substance those which are found to have prevailed among other Aryan tribes in a similar stage of social progress; as the social development of the nation was prematurely arrested, so also were the legal ideas of the same stage of existence retained after they had disappeared in all other nations in Europe. This legal survival continued for centuries the property of an hereditary caste, who had acquired the knowledge of writing, and some tincture of the scholastic philosophy and civil law. For generations the Brehon customary law, having been committed partially to writing, was studied with the same eagerness as was the English common law in the fourteenth century,

and was thus logically, and only logically, developed to a surprising extent. The principles suitable to a very archaic state of society were discussed, commented upon, and expanded down to the middle of the sixteenth century, with as much ingenuity and industry as had been devoted by the Continental nations during the same period to the civil law, and by the English to the common law. The extraordinary result of this process can be conceived, if we imagine no new laws to have been enacted in Rome from the date of the twelve tables, and the entire legal energy of the nation to have been devoted for nearly a thousand years to commenting upon and logically developing these archaic customs. The first principles upon which rest the leading rules which run through all the Brehon law books, and the theory upon which the jurisdiction of the Brehon judge was founded, are well known to all familiar with early law, but perhaps require to be here stated in some detail.

In the early forms of society, the tribe possessed none of the arrangements and machinery which we now associate with our modern idea of government. The only bond of unity was the possession of a common territory and mutual succour against adjoining communities, and, perhaps at the later, certainly at the earlier, period, joint participation in certain religious rites. But beyond these points of contact, the several families were as independent as separate communities. Each head of a family ruled supreme within his own dwelling, and represented it in its dealings with its neighbours. There was no external judicial authority to which the member of a family could appeal against the action of its head, nor the head of one family as against the acts of the head of an adjoining household; if any dissension arose, force was the sole arbitrator of the quarrel. It may be imagined that such a form of society would necessarily involve constant appeals to force, and perpetual anarchy be the ordinary condition of existence. We are so accustomed to the constant protection of the executive, the presence of a police, and the regular action of law courts, that we imagine a society incapable of existing unless supplied with institutions which, in all cases, have come into existence at a comparatively late date, and are the final result of a long period of social development. There have, however, always been, and there still exist, many communities which exist without laws, judges, or

visible government ; and there is no reason to believe that they are exceptionally disordered, or that their members feel any need for what we consider to be institutions of primary necessity.\*

In small societies, both the members of a family and the several families are constrained in what is considered the customary course of action by the pressure of local public opinion, by the expressed disapproval of the community meeting them in every act of life. It is this subtle, but ever powerful, influence which compels them to submit their differences to the arbitration of the collective members of the little State. It must be carefully borne in mind, that the origin of all judicial authority in the Aryan tribe rests upon an interference of the public to induce the parties to come to such a compromise of their differences as the public feeling judges reasonable ; that the action of the public is that of a mediator, not of a judge ; and that the right of the parties to refuse the arbitration continues unquestioned ; that the public intervene only with a view to the public interest, the prevention of open violence, and the satisfaction of the general conscience ; and lastly, that the ground upon which the ultimate decision is arrived at, is an appeal to some real or supposed pre-existing custom, not by reference to any abstract and acknowledged law.

When, with increasing civilisation, parties desired to have their disputes determined by some competent authority, they had, strictly, no court to which they could resort ; but by a pre-arranged course of action they could force the community to intervene and arrange the terms of a compromise. In the course of time, acts, which at first amounted to or simulated a breach of the peace of the community, passed into a series of symbolical acts, which were accepted as forming a sufficient basis for the interference of the public ; but it was always understood that the accurate performance of some external acts was necessary to found the jurisdiction of the members of the tribe ; and these acts gradually became more and more symbolic and mysterious. The repeated interference of the tribe in its judicial capacity produced a series of precedents and customary rules which could no longer be remembered or acted upon by a popular

[\* See the account of such a community existing, each year during the trading season, in the Aru Islands.—Wallace's *The Malay Archipelago*, Vol. II., chap. xxx.]



assembly. There thus gradually grew up in many different nations a class of men whose business it was to learn the details of the complicated ceremonies necessary for the institution of actions, and the mass of traditionary customs by which any dispute should be determined. Among the Irish the meetings of the tribe fell into desuetude at an early date, and the judicial action of the assembly passed into the hands of those who originally had acted as assessors only. This is clear from the fact that in some tribes which had no custom there was no Brehon, and in these cases the chief appears to have acted in some judicial capacity.

The learning of the Brehons consisted (1) in an acquaintance with the minute ceremonies, intelligible now only to an archæologist, and not always to him, by which the action could be instituted, and without which no Brehon could assume the rôle of arbitrator; and (2) in a knowledge of the traditions, customs, and precedents of the tribe, in accordance with which the dispute should be decided.

Every action before a Brehon ended, and could only end, in an assessment of the amount of damages which the wrong-doer should pay, and the injured party should accept; and the principles upon which these were to be calculated naturally became involved in the utmost complexity; the nature of the injury, the rank and intentions of the person committing it, the place where it was inflicted, the rank and conduct of the injured party, and every possible differentiating circumstances, were all taken into consideration, and the result worked out in the nature of a complicated account. As the profession of Brehon became hereditary, the study of the law was widely pursued, and gradually an immense mass of literature accumulated, based upon primeval customs which ultimately became almost unintelligible, and involving arithmetical calculations of extreme complexity.

Although the tradition that the Brehon laws were revised and codified on the introduction of Christianity is unsupported by evidence and improbable in the highest degree, the Church, when once established, affected them to a large extent, and through the influence of the Church, and the study of civil law, a considerable element of equity was introduced, which largely modified, by the introduction of the ideas of equity, the form of the later Brehon

writers ; yet, unto the last, the Brehon law, maintaining its original character as a survival of archaic society, excited the wonder and reprobation of the English settlers, and was deemed an institution peculiar to the Irish race.

The Brehon, having no legal authority nor organised force to execute his judgments, was simply a professional man, skilled in the customary law, and remunerated for deciding the case brought before him ; obedience to his judgment rested solely upon habit, and was enforced by public opinion alone. Such a system might work satisfactorily in the ordinary conditions of society, or between families not possessed of much wealth and numerous following ; but when the parties were men of influence and self-confident, there was no tribunal which could cause them to submit to its judgment, or punish for any act of violence ; in such cases private war was the sole natural, and, if we may use the term, legal remedy.

In a system based solely upon a voluntary submission, conciliation, and compromise, there could arise no conception of crime and punishment ; and the English lawyers were astonished to find that a murder resulted only in the imposition of a fine.

The unit of the tribe being the family, and not the individual, the action must have originally been considered as one between the families, and not the individuals, and the damages were payable by the family of the defendant, although they might force him to indemnify the other members of his family by paying them out of his own separate property, or share in the general property, or relieve themselves from all liability by delivering him bodily to the other party.

As the damages payable by one of its members fell upon all who constituted a family, so damages payable for the injuries suffered were shared also by the members of the family of the injured person.\*

This cardinal principle, that the individual exists only as a member of the family, lies at the root of the whole Brehon law of property. The property of the family belongs to the collective

[\* For a full discussion of this subject, see Dr. Richey's Introduction to "The Book of Aicill," *Ancient Laws of Ireland*, Vol. III., and the Introduction to Vol. IV., xciv., *et seq.*]

family, not to its head, who manages it on behalf of all. Property acquired by a member by the exercise of an hereditary family trade, or in connection with the family property, forms portion of the general stock; although an individual might acquire, by independent exertion, separate estate like the Roman "peculium castrense," yet the gains of a harlot could be appropriated for the benefit of her house.\* It was not until within the historical period, and owing to the influence of Christianity, that female descendants could participate in an inheritance, and they took it subject to obligations arising from their exemption from military service, and subject to restrictions as to their marriage similar to those contained in the Book of Leviticus.†

The whole theory of succession in the Brehon law is purely identical with the surviving members of the family or families of the tribe taking by survivorship; and the rules which exist in the Brehon law are simply concrete examples of this general rule. Exclusive knowledge, irrespectively of the utility of the subject-matter, frequently passes for wisdom, and of this the reputation of the Brehons is a remarkable example. They, as the Roman Patricians, alone knew the mysterious forms of actions; they professed to understand the traditional sentences framed in a dialect antiquated and now unintelligible to the laity. In their schools they elaborated their arithmetical calculations, as the schoolmen developed their theology, or casuists cases of conscience, calculating the damages to be paid for a cat stealing milk, or bees stinging a stranger, not to refer to more recondite and unrepeatable instances; and the results of these, couched in technical language and mystic style, must have commanded attention and wonder.‡ It must be admitted, on the other hand, that they reduced the old customs to a practical working system, and modified them with such equitable principles as they became acquainted with in their restricted acquaintance with Latin civilisation.

In addition to the feudal relation arising from the giving and

[\* *Ancient Laws of Ireland*, Vol. IV., p. 63.]

[† See Dr. Sullivan's Introduction to O'Curry's *Manners and Customs of the Ancient Irish*, Vol. I., clxx., and the Tract "On Taking Lawful Possession," *Ancient Laws of Ireland*, Vol. IV., pp. 39-41, and *Intro.*, cxvi.]

[‡ See Note XI., at end of chapter.]



receiving of cattle, and the occupation of lands by refugees of foreign tribes, originally free, there existed a numerous class of purely servile tenants, or serfs, probably representing the aboriginal population, "the unfree tribes of ignoble countenance" on the king's lands, who paid "servile rent," and whose rights, if any, were of a very slender character; and also, a class of tenants holding lands, and paying rent after what is imagined to be purely modern fashion, whose relations with their lords were regulated by very modern rules of contract.\*

To the unfree classes occupying the lands must be added the domestic slaves and retainers, who were in no inconsiderable number; and also, the foreign refugees, guests, and sojourners, who were allowed to reside within, but were not of the tribe, and continued "in the hand" of some free head of a family.

The tribe, even in its simplest form, was yet a very complicated social system, containing many persons of wholly different ranks, with very various and intricate rights, personal and proprietary, and governed by a very complicated set of customs, unknown to the general body, and administered by a special professional class.

The tribe, when developed out of the family by the creation of new households, became the political unit, and is as independent and self-containing as an independent nation; very soon, however, the tribes associate themselves into groups or confederations, which may be referred to many causes. The original tribe may outgrow its territory, and a new tribe may be formed by a portion of the members occupying a new settlement; in such a case, there is formed a group bound together by a common origin, in which the original tribe may form the ruling tribe, or in which the kingly office belongs to them in rotation. Again, the group may repose solely upon the right of conquest, the dominant tribe treating the subject as vassals and holding them hostages, in which case it is possible that the subject tribes represent imperfectly conquered aborigines. On whatever principle the tribes were grouped, in theory the early Irish regarded the nation as forming a confedera-

[\* See Dr. Sullivan's Introduction to O'Curry's *Manners and Customs of the Ancient Irish*, clxxv.-cxciv., and *Ancient Laws of Ireland*, Vol. I., Introduction.]

tion of tribes; each group forming a part of a higher group, and thus, through successive steps, until the four provincial kings represent the four great confederacies who acknowledged the sovereignty of the national king at Tara.\*

[\* In later times, after the destruction of Tara in A.D. 565, Meath, originally the territory immediately under the king of all Erin (Ard-Righ), became itself a separate provincial kingdom, the king of which might or might not be King of Ireland.]



## NOTES TO CHAPTER III.

---

### NOTE I.

THE classification of ranks in the Irish tribe, briefly summarised in the text, is given in full in the three tracts called the "Crith Gabhlach," the "Sequel to the Crith Gabhlach," and "Succession," contained in *Ancient Laws of Ireland*, Vol. IV., p. 297, *et seq.*, which tracts are fully discussed, and the difficulties in them explained, in Dr. Richey's Introduction to the same Volume, p. clxxiv., *et seq.* Dr. Richey there points out that the organisation of the several classes, as described in the "Crith Gabhlach," is too elaborate and complicated to have generally existed in all its minute details; and he considered that it was a work written at a time when the tribal system was in the course of disintegration, and as showing what, in the opinion of the writer, ought to be rather than what really then existed as the classification of ranks.

The passage as to wealth being the only test of rank requires a qualification which is given by Dr. Richey further on in the text, and also in the Introduction to the tract called "Succession," *Ancient Laws*, Vol. IV., p. cccxvii, thus:—"The rule" was "that the possession of the necessary property through three generations was requisite to give the complete status of the rank to which the qualification was annexed;" and, "taking a negative form, the rule was applied to the case of those who lost the qualifying property necessary for their rank," and "the third in descent in such a case lost his status absolutely, and fell into a lower grade. But if a person acquired double the amount necessary to qualify him for a higher grade, he became a fully recognised member of that grade irrespective of descent." And he has pointed out that a similar rule of wealth, descended for three generations, giving nobility, obtained in several of the early Germanic codes.



Also compare the account here given of the Irish tribal organisation with that of other Aryan communities referred to by Maine, *Essays on Early Law and Custom*, and *Village Communities*, and by Hearn, in his valuable work on this subject, *The Aryan Household*.

---

#### NOTE II.

For a detailed account of the relation created by giving and taking stock, and the distinction between "saer" stock, or free tenancy, and "daer" stock, or "unfree" tenancy, see *Ancient Laws*, Vol. I., *The Seanchus Mor*.

The amount of "food rent," of "proportionate stock," and the number of the "company" for whom he was entitled to claim entertainment, to which each class above the lowest within the tribe was entitled, according, at least, to the opinion of the author, are stated in detail in the "Crith Gabhlach" (*Ancient Laws of Ireland*, Vol. IV., p. 300, *et seq.*).

The abuse of this right enjoyed by the Irish chiefs, or men of property, of quartering their retainers upon their tenants, or quasi-tenants, is constantly referred to as most oppressive by the English writers under Elizabeth and James I.

---

#### NOTE III.

The "geilfine" organisation, which lay at the root of the old Irish law as to the succession of property, seems to have become obsolete as the tribal organisation became gradually disintegrated. It is never alluded to by the English writers and lawyers who described other parts of the tribal organisation in the reigns of Elizabeth and James I., and it is not mentioned in the "Crith Gabhlach"—a circumstance which Dr. Richey uses as an argument for the comparatively late date of the tract.—*Ancient Laws of Ireland*, Vol. IV., *Introd.*, clxxviii.

The nature of the division, and the rules as to the succession of property founded upon it, are given in the Book of Aicill, published in *Ancient Laws of Ireland*, Vol. III., at p. 300; and the nature of the

division is thus stated by the editors of the volume, of whom Dr. Richey was one (Note, p. cxxxix.) :—

“ Within the family seventeen members were organised in four divisions, of which the junior class, known as the ‘geilfine’ division, consisted of five persons; the ‘deirbhfine,’ the second in order, the ‘iarfine,’ the third in order, and the ‘indfine,’ the senior of all, consisted respectively of four persons. The whole organisation consisted, and could only consist, of seventeen members. If any person was born into the ‘geilfine’ division, its eldest member was promoted into the ‘deirbhfine,’ the eldest member of the ‘deirbhfine’ passed into the ‘iarfine,’ the eldest member of the ‘iarfine’ moved into the ‘indfine,’ and the eldest member of the ‘indfine’ passed out of the organisation altogether. It would appear that this transition from a lower to a higher grade took place upon the introduction of a new member into the ‘geilfine’ division, and therefore depended upon the introduction of new members, not upon the death of the seniors. The property held by any class, or by its members as such, must have been held for the benefit of the survivors or survivor of the class, and, upon the extinction of a class, or of its members, passed to the surviving classes or class, according to the special and very technical rules ;” this summary has been adopted by all subsequent writers. It is to be observed, however, that the successive changes from the “geilfine” onwards to the “indfine” class, here spoken of as promotions to higher, were rather considered by the Brehon lawyers as degradation to lower classes.

“Geilfine” probably means “Hand”-family (W. Stokes), although explained by Dr. O'Donovan to mean “White”-family. “Iarfine” and “Indfine” mean respectively “Further”-family and “End”-family.

The organisation and the rules as to succession founded on it are also briefly given in the tract, “On the Divisions of the Tribe of a Territory,” *Ancient Laws of Ireland*. Vol. IV., p. 281.

The rules as to succession are so complicated, and apparently so unreasonable, that there has been a great deal of discussion as to what can have been their origin and practical working, and different views have been put forward by Sir H. Maine (*Early History of Institutions*, p. 210); Dr. W. K. Sullivan (*Manners and Customs of the Ancient Irish*, Vol. I., p. clxiii.), whose view has been adopted by Mr. Hearn (*The Aryan Household*, p. 173), and by Mr. M'Lennan (*Primitive Marriage*, App. to 2nd Ed.); and by Dr. Richey (*Ancient Laws of Ireland*, Vol. IV., Introd., xlix, *et seq.*)

It would expand this Note to too great a length to enter into a discussion of these different views.

They are all ingenious, and they all present difficulties ; but, upon the whole, the explanation put forward by Dr. Richey seems to reconcile the difficulties better than any other, *i.e.*, that the Geilfine division consists of the head of the “ fine ” and four sons, who have gone out from the joint household, and set up homesteads of their own, and that the three other classes consist of the heads of households formed by sons who had similarly gone out and formed households in the three previous generations, the headship of the original house remaining with the son who remained with the father until, and succeeding him upon, his death, which son would be generally, if not always, the youngest.

---

#### NOTE IV.

As to the nature of these “ ‘ deis’ rights,” see *Ancient Laws of Ireland*, Vol. IV., p. 321, where they are enumerated, and the question and answer given :—

“ Why is the ‘ airè desa’ chief so called ? ”

Because of the fact that it is on account of his “ deis ” rights that he is paid “ dirè ”-fine. Not so the “ bo-airè ” chief. It is in right of his cows he is paid “ dirè-fine.” The “ bo-airè ” “ cow-chief,” or rather “ cow-owning freeman,” was the highest among the non-noble classes.

---

#### NOTE V.

For the nature of the several classes, see Dr. O’Sullivan’s Introduction to O’Curry’s *Manners and Customs of the Ancient Irish*, cix.-cxxxii., and *Ancient Laws of Ireland*, Vol. IV., ccix. and 353.

---

#### NOTE VI.

The dethronement of the king in favour of the patricians or eupatrids, while the rule in early Greece and Italy, cannot be said to be the rule among the Germanic any more than among the Celtic tribe.



The description in the text would apply to a certain stage in the history of the Germanic races, after which the royal authority became more consolidated; and we find a regular monarchy with, however, a constant liability to fall back into anarchic tyranny, if the royal house became extinct, as in Norway in the twelfth century, or became incapable, like the Mervings and later Carlings.

---

#### NOTE VII.

As to the manner in which the tanist was elected at the time of the final extinction of the tribal system in Ireland, and the way in which this was looked on by the English lawyers, see *Le Case de Tanistry*, Sir J. Davis, Reports 28.

---

#### NOTE VIII.

While in the other European branches of the Aryan race the judicial functions of the king were among the most prominent attributes of his office, in Ireland, although in early times, according to tradition, the kings exercised these functions (*e.g.*, the story of Connor MacNessa), they had fallen into desuetude before the historic period, and the function of expounding the law had devolved upon the Brehons, the families of hereditary lawyers. Even then traces of the judicial functions of the chief remained, *e.g.*, the rule laid down in the Brehon Law Tract on taking lawful possession (*Ancient Laws of Ireland*, Vol. IV., p. 51), that if there be no Brehon, "then every disputed case is brought before the king."

---

#### NOTE IX.

See the rule as to this in the Tract "On Succession," *Ancient Laws of Ireland*, Vol. IV., pp. 379-381, and Dr. Richey's discussion of these rules in the Introduction, cexxvi., *et seq.*, and *ante*, Note I.

---

#### NOTE X.

This classification is given in detail in the "Crith Gabhlach," *Ancient Laws of Ireland*, Vol. IV., p. 299, *et seq.*, and one somewhat

differing in the "Sequel," *id.* 345, *et seq.*; and see Dr. Richey's discussion of them in the Introduction to Vol. IV., clxxxiii.-ccxvi., and also see Dr. Sullivan's Introduction to O'Curry, c.-cii., ccxlvii., ccl.

---

## NOTE XI.

The Tract called "Bee Judgments," given in *Ancient Laws of Ireland*, Vol. IV., p. 161, is a good example of the mode of thought and the dialectic subtlety of the Irish lawyers. In it every conceivable question that could possibly arise as to the ownership and possession of bees is discussed most ingeniously, and no difference made as to whether it be an ordinary or a barely possible case.

---

## CHAPTER IV.

---

### THE EARLY CHRISTIAN CHURCH OF IRELAND.

THE introduction of Christianity is a most important era in Irish history. It marks the commencement of the historic period. By an historic period I mean one during which current transactions are habitually and contemporaneously recorded in writing. Not merely that legends are committed to writing, or the current transactions are handed down by tradition, but that writing is ordinarily employed to perpetuate the records of ordinary events. It can scarcely be pretended that writing was known prior to the introduction of Christianity.\* The passages usually cited for this purpose are extracts from poems and tales written down, perhaps composed, after the Christian era, which represent pagan heroes as making use of the art of writing. But such passages do not prove that writing was used by the heroes of old, but that it was in ordinary use in the time of the author or compiler. It is not now pretended that the tale of Bellerophon in the Iliad proves that writing was known or used by that mythical personage, or that it was known or used at the time of the Trojan War. If anything, it merely shows that the author of the Iliad may have had some knowledge of that art. So, in an Irish poem, the incident that an ancient hero carved his name upon a spear, and cast it into the river, that it might be recognised by his followers, does not carry back the date of the writing farther than the date of the composition of the work.

As to inscriptions of an enduring character, there are none whose date can be carried back to the pre-Christian period, except,

[\* See Note I., at end of chapter.]



perhaps, the Ogham inscriptions, which, as far as our present information on the subject extends, contain nothing more than the name and patronymic of some deceased person.

Dr. Todd is, however, of opinion that there existed in Ireland before the arrival of St. Patrick a pagan literature, of which some fragments are still preserved. He refers to certain passages which are found amongst the fragments of the Brehon laws, as having internal evidence of a pagan origin.\* But the pagan character of a passage fails to prove its antiquity, since Dr. Todd himself is of opinion that paganism lingered in Ireland long after the first introduction of Christianity; and early Christianity itself was deeply tinged by pagan influences. But whether or not writing existed before the arrival of St. Patrick, it was introduced and systematically taught by the first Christian missionaries. We find it recorded that St. Patrick, on several occasions, taught the alphabet to such of his converts as were destined for holy orders. This is sometimes expressed by saying he wrote out for them the "*elements*." In the Tripartite Life of St. Patrick we find that, when St. Patrick was in the county of Mayo, he found Ernase and his son Lauran sitting under a tree, "with whom he remained, together with his twelve companions, for a week, and they received from him the doctrine of salvation. In the meanwhile he instructed Luran, for whom he wrote an alphabet, in the rudiments of learning and piety."† In the Book of Armagh, we hear that St. Patrick, with eight or nine companions, having tablets in their hands, written after the manner of Moses, was seen by some pagan inhabitants of the country, who cried out to slay the saints, and said, "They have in their hands swords for the slaying of men, which appear in the day-time wooden, but which we think are iron swords for the shedding of blood."‡ The early Christian missionaries must have introduced many manuscripts of the Scriptures, and such books as would be necessary for the formulæ of their worship. The great collection of the Brehon laws appears to have been made about this time, and from the works of Cormac M'Cullinan, Bishop of Cashel, it appears that there must have existed in the tenth century a large

\* Life of St. Patrick, p. 515.

+ Life of St. Patrick, p. 207.

‡ Life of St. Patrick, p. 509.

mass of ancient literature, which then required critical and grammatical explanation. The list of abbots and bishops, extending from an early period, may be received with considerable confidence, as both the art of writing was known, and the names of the Church officials would probably have been recorded in the ordinary course of business.

Under these circumstances, we may treat the establishment of Christianity in Ireland as introducing such historical evidence as enables us to treat facts subsequently recorded in a manner, to a great extent, different from that in which we have treated the mythical period. It is not meant by this that a great portion of written documents, handed down from periods subsequent to the introduction of Christianity, do not contain a vast amount of simply mythical stories. This element exists in all popular literature; but in history, subsequent to the arrival of Christianity, there is to be found an amount of facts recorded in writing by contemporaries which, although dry and meagre, may be separated from the purely mythical element, and treated as historical. The legends of saints also afford a clear insight into the habits and ideas of the period. How rich a mine of historical inquiry may be found in this despised branch of literature, the French historical writers, especially Monsieur Amédee Thierry, have taught us.

The history of the early Irish Church is instructive, not merely as the religious history of the Irish race, but as throwing a remarkable light upon their social and political economy. In dealing with the delicate subject of the Irish Church, we desire to abstain from all doctrinal questions, and the controversy as to what were its dogmas, and to what Church it should be affiliated. We shall consider it for the purpose of elucidating the social tendencies of the Celtic population, and attempt to show how, from its peculiar form, it seriously influenced the temporal destinies of the country.

It is admitted by all writers on the subject that the Irish ecclesiastical system was essentially different from that upon the Continent. The anomalies of the Irish Church have been the subject of discussion almost since its first establishment. They were noticed in the Synod of Hereford and Council of Chalons-sur-Marne; they were discussed by St. Bernard and St. Malachy; they formed an excuse for the invasion by Henry II.; they were

investigated by Ussher, and are still a subject for controversy rather polemical than historic ; but writers who have examined the Irish system from an exclusively Irish point of view have failed to see the several particulars in which it clashed with the ideas of the rest of Europe. In this case and most others, Irish history must be understood not by an exclusive study of Irish authorities, but by a continued comparison with the political and religious systems which at the same time existed upon the Continent of Europe.

In the last Lecture have been indicated the leading principles, political and social, of the Irish tribe system. A brief consideration of the manner in which the Christian Church developed itself on the Continent of Europe will show how utterly unfit the Continental or Roman form of Church government must have been for Ireland. The Christian Church came into being during the existence of the Roman Empire : the state of society at that time was remarkable, as exhibiting extreme development in cities, and an extreme deterioration of country life. From the great Imperial city stretched the military roads to the extremities of the empire ; along those at intervals stood the municipal towns, which possessed to a great degree self-government, and were independent corporations, flourishing, wealthy, and secure. The eastern half of the empire contained numerous cities, many older than Rome itself, once independent, and still to a considerable extent self-governing ; but the intervening tracts of land were in a state of continued deterioration. The country was eaten up by the great states of Roman and provincial nobles, which were cultivated by slaves attached to the ground ; and in many districts the only sign of civilisation was the villas occasionally occupied by the wealthy proprietors. In such a state of things, the city was everything, and the country was nothing.

The early Christian teachers would have found it a waste of time and energy to have traversed as missionaries the country. Like all successful leaders of revolutions, they threw themselves upon the centres of intelligence ; when expelled from one city, they went to another city, as the next available place for the preaching of their doctrine. St. Paul established himself successively at Philippi, Corinth, and Athens, without regarding the country districts. Thus the labours of the Christian missionaries being



directed to the conversion of the town population, the early Christian Churches were confined to the larger cities. Long after the nominal establishment of Christianity, paganism lingered in the country. Saint Martin, of Tours, employed himself in destroying rural temples in the south of France. Saint Benedict found an altar to Apollo upon Mount Casino.

It may be a question how far the doctrines of any new religion are merely an answer to the moral wants of the age ; but there can be no doubt of this, that every new religion is organised according to the political form of government prevalent at the time. Its first followers supply it with a system which is an imitation and reflection of the political government of the period. Mahomedanism was ruled by a Caliph ; Calvinism was organised in imitation of the oligarchy in Geneva ; early Christianity adopted the form of the municipal government. In each city the bishop presided over the Church, assisted by ecclesiastical assessors. At an early period the bishop enjoyed a jurisdiction amongst the Christians themselves, originally voluntary, of the nature of an arbitration. When Christianity became the established religion of the empire, the bishop occupied a legal judicial position. The exercise of judicial functions implies a distinct area in which they should be exercised ; this was naturally fixed with reference to the limits of the civil jurisdiction within which the bishopric was established. When, for the purposes of internal government, the bishops were subordinated to one another, the bishop of the city, the residence of the Roman governors, naturally became the archbishop of the province. In the great divisions into which the Roman Empire in its latter days was divided, there naturally arose patriarchs who governed the grand provinces of the empire. As Rome was supreme amongst cities, the Patriarch of Rome became supreme in the Church.\*

This system of Church government is manifestly founded upon the existence of cities and the division of the territory into definite political districts ; hence has grown up the doctrine that a bishop

[\* While I cannot concur with this view of the origin either of the Episcopal or the Papal authority, the question is not one to be discussed in this place. I therefore do no more than point out that the view here expressed as to the origin of Church government will not and cannot be acquiesced in by a Roman Catholic.]

must be a bishop of a certain place. At present in the Roman Church, when the rank of a bishop is conferred without any accompanying duties, a local title is given, by attaching the bishopric to some place in *partibus infidelium*. But in a bishop of the Roman, or any Protestant Episcopal Church, we must distinguish his judicial office from his purely spiritual function. Every bishop can exercise his spiritual office effectually in any place, although he may be restrained from doing so by the canons of the Church; on the other hand, he possesses no judicial authority beyond his own diocese. Such a system as had been established on the Continent could not have been introduced into Ireland. It would have been utterly repugnant to the political system of the Celts. In Ireland there were no great towns, no wealthy emporia, no roads crossing the island, rendering communication easy; there were no political districts, for the civil jurisdiction of the chiefs was exercised over the individuals of the tribe, wherever they might be, and had no connexion with the lands which they occupied. If the Christian missionaries had attempted to establish in Ireland bishops with territorial jurisdiction, the system would have failed. No tribal chief would have submitted to the jurisdiction of the bishop connected with or resident in another tribe.\*

We must now consider how the first Christian missionaries met the difficulties which the state of Ireland presented.

The first question which presents itself is, What religious system did they find existing in the island? Druidism. But as to what Druidism was, either in speculation or practice, we have very little information. Its doctrines cannot have had a strong hold upon the minds of the people, nor can it have possessed any definite mythology. Odin and Balder survived the destruction of Norse paganism; but of the early Irish deities, their history or their worship, not a trace remains—their very names have perished. As far as we can conjecture, their religion must have consisted of tribal divinities and local rites. As to the Druids themselves we have no distinct information. The practices and rites of the Druids form a subject fascinating from its extreme obscurity. The information of the ordinary public upon this subject is chiefly derived

[\* See Note II., at end of chapter.]

from the opera of "Norma," which suggests a confused idea of gloomy oakwoods, white-robed priests, and prophetic virgins. The so-called learning of the last century upon this subject was more definite, but equally unsatisfactory. The early antiquarians, upon the suggestion of a few passages from the Latin authors, laid a foundation of a fanciful edifice, which their followers completed, the conjectures of each sage being the facts assumed by his pupils. This airy edifice fell to the ground upon the first application of criticism; and, so strong has been the reaction, that authors are now found to deny the existence of Druids altogether.

As far as the lives of St. Patrick and of St. Columba enable us to form any opinion, these missionaries did not find in Ireland or Scotland any hierarchical system; they did not encounter any arch-Druid as the representative or head of a national religion; they met abundant opposition from the Druids of particular chiefs and places; but they found no priesthood occupying a definite political position, which the ministers of the new religion could appropriate. The Druids of this period, at least, seem to be nothing more than the local priests or magicians attached to the several tribe chiefs—perhaps not better than the medicine men of the North American Indians.

The first Christian missionaries had to discover a system upon which the Church to be established in Ireland could be organised.

In tracing the early form of the early Church, the position, character, and origin of the first missionary, are an important subject for consideration.

Attempts have been made to depreciate the historical position occupied by St. Patrick, but unsuccessfully. We possess documentary evidence as to his life and doctrine, which may be fairly treated as his own composition, or, at least, that of some of his contemporaries. The documents in question are as follows:—The Confession of St. Patrick—a copy of which was transcribed, at the end of the eighth, or very nearly in the ninth century, into the collection known as the "Book of Armagh." It professes to be taken from an autograph of St. Patrick, for this seems to be the meaning of the colophon: "Thus far the volume, which St. Patrick wrote with his own hand." It was certainly transcribed from a manuscript which, in the year 800, was beginning to become obscure,



and of whose obscurities the scribe more than once complains. Although not free from what we now, at this age, would call superstition, it contains none of the ridiculous miracles attributed to St. Patrick by later writers. It is "altogether such an account of himself" as a missionary of that age, such as Patrick was himself, might have composed. Its Latinity is rude; it quotes the ante-Hieronymian Vulgate, and contains nothing inconsistent with the century in which it is supposed to have been written. If it be a forgery, it is not easy to imagine for what purpose, and how it could have been forged.\* Secondly, the Epistle to Coroticus, attributed to St. Patrick. The Latinity of the work is apparently of the same age, and from the same pen, as the Confession. It quotes the old Latin version of the Bible, and there seems no internal evidence against the supposition that St. Patrick was its author. Objections have been made to the authenticity of this work on the ground of its rude and barbarous Latinity. It is said that it is difficult to believe that the Roman Pontiffs were so stupid as to send forth missionaries to instruct others, who were themselves incapable of writing good Latin. Who can believe (if St. Patrick were a man of learning and celebrity in the fifth century) that he could have written in so barbarous a style? But this is an argument against the theory that this work is a forgery. No ecclesiastic of a later period would have concocted such a document. None but St. Patrick could have written such a work at, or shortly after, the period of his mission.† We have several subsequent Lives of St. Patrick, in which the element of the miraculous increases as the date of the production becomes more removed from the transactions it professes to recount.

There is no certain information as to the birth-place of St. Patrick—a question which has proved a source of endless controversy. According to his own statement in the Confession and Letter, he was the son of Calpurnius, a Deacon, the son of Potitus, a Priest. He was of respectable family according to the flesh, his father having been a Decurio; and he gave up his nobility to

\* Todd, *Life of St. Patrick*, pp. 346, 347.

† *Ibid.*, p. 349.

prosecute his missionary enterprise. An ancient hymn\* tells us he was born at Nemthur. The Confession states that his father was of the village of Bonavem Taberniæ, and had there a small property, from whence St. Patrick was taken away captive. The unknown names Bonavem Taberniæ and Nemthur go but a short way towards fixing St. Patrick's birth-place. Later biographers have endeavoured to bring him over from the Continent, chiefly for the purpose of connecting him with the Papal See.† Hence has arisen great confusion as to the events of his life; for numerous acts attributed to Palladius, an earlier Roman missionary, have been transferred to St. Patrick.‡ But in the works attributed to St. Patrick himself there is no allusion to the Continent, or to any special commission from, or connexion with, a Continental Church. According to his own statement, he learned Latin at an advanced period of life—a fact confirmed by his barbarous Latinity. It is utterly impossible that any native of Gaul, the son of a municipal officer under the Roman Government, could have been entirely ignorant of Latin. His original birth-place must be sought in some of the provinces never completely Latinised.

In his Confession, St. Patrick speaks of *Britanniæ* as his native country, which would imply that he was born in one of the provinces of Britain, and probable conjecture fluctuates between Alcluid (now Dumbarton) and Wales. He was carried into Ireland as a captive in his youth, and before his conversion to Christianity. In his own narration he says—"I, Patrick, a sinner, the meanest of all the faithful, had for my father Calpurnius, a Deacon, son of the late Potitus, a Presbyter, who was of the town of Bonavem Taberniæ; for he had a farm in the neighbourhood, where I was taken captive. I was then nearly sixteen years old. I was carried in captivity to Hiberio, with many thousands of men, according to our deserts, because we had gone back from God, and had not kept His commandments, and were not obedient to our priests, who used to warn us for our salvation." He was employed

[\* The Hymn of Fiacc, composed probably towards the end of the sixth or beginning of the seventh century.—Stokes, *Goidilica*, p. 126, where text and translation are given.]

[† See Note III., at end of chapter.]

[‡ See Note IV., at end of chapter.]

in Ireland as a slave, tending the cattle, but was then frequent in prayer, and thus, he says, the love and fear of God in faith "increased upon him." After six years' servitude he escaped, and returned to his parents or relations, who received him as a son, and besought him "that after enduring so many tribulations, he should not depart anywhere." He was, however, constrained by a vision, which he saw in the night, to return to Ireland to preach the Gospel. "In the dead of the night I saw a man coming to me, as if from Hiberio, whose name was Victoricus, bearing innumerable epistles; and he gave me one of them, and I read the beginning of it, which contained the words 'the voice of the Irish;' and while I was repeating the beginning of the epistle, I imagined that I heard in my mind the voice of those who were near the wood Foclut, which is near the western sea, and thus they cried: 'We pray thee, O holy youth, to come and henceforth walk amongst us;' and I was greatly pricked in heart, and could read no more, and so I awoke."

I have referred to the origin and early life of St. Patrick, and the impulse which constrained him to preach the Gospel in Ireland, as showing that neither in his origin, education, nor feelings, was he a Roman; that his religious tendencies were rather towards the moral and mystical, than the dogmatic points of Christianity. This view is confirmed by his Creed, or Confession of Faith. The arrival of St. Patrick may be fixed about the middle of the fifth century. The first Council of Nice was held in A.D. 325; the Council of Sardica in A.D. 347; the Council of Ephesus A.D. 431; yet St. Patrick appeared ignorant of the Creed, as settled even by the first Council. He makes no mention of the resurrection of the body, nor our Lord's descent into hell; he does not mention our Lord's burial. He attributes the creation of all things to the Son. He teaches his disciples that the Second Person of the Trinity pours into us the Holy Ghost. This creed could scarcely pass for orthodox among any sect of Christians; but it is exactly the doctrine which might have been taught by a missionary issuing from a remote province of the Roman Empire, to which the decrees of the Council had not yet penetrated, and who had never been instructed in the theological subtleties of this time.\*

\* Todd, Life of St. Patrick, p. 390. [See Note V., at end of chapter.]



We must remember that the Western Church wisely never involved itself in theological speculation. The doctrinal questions which disturbed the Church in the early ages originated in the eastern world ; and in the remote provinces of Britain the perplexing inquiries about the Trinity may have been disregarded, and were certainly not appreciated. But the hymn known as the breastplate of St. Patrick proves how deep was the faith of the Christians of that period in the omnipotence of God, in the mercy of Christ, and the primary principles of Christianity.

We are not to imagine that St. Patrick landed in Ireland in the simple garb of a modern missionary. He, from the first, assumed the attire and position of a Christian bishop. This appears from the ancient verses preserved by the Scholiast on Fiacc's hymn, as translated by Dr. Todd :—

“ He comes, he comes, with shaven crown, from off the storm-tossed sea,  
His garment piercing at the neck, with crook-like staff comes he ;  
Far in his house, at its east end, his cups and patens lie ;  
His people answer to his voice : ‘ Amen, Amen,’ they cry.”

The position taken by St. Patrick in Ireland is clearly shown in his conflict with Laoghaire, King of Meath. Having left his ship at the mouth of the Boyne, St. Patrick travelled to Slane, in the county of Meath. There he pitched his tent, and began the solemn devotions of Easter Eve. The legend tells us :—“ Now there happened in that year the idolatrous Festival, which the Gentiles were wont to observe with many incantations and magical inventions, and other superstitions of idolatry ; gathering together the kings, satraps, dukes, chieftains, and nobles of the people ; summoning also the magicians, enchanters, and augurs, with the inventors or teachers of every art and gift, unto Laoghaire, as unto King Nabucodonossor of old, to Temoria, which was their Babylon, and on the same night on which St. Patrick was celebrating Easter, they were worshipping and exercising themselves in that Gentile festivity.” The legend informs us that the pagan festival began by extinguishing every fire in the country, and whoever kindled a fire on that night, before the king's fire was kindled on the Hill of Tara, should perish. St. Patrick lighted his Paschal fire on the hill of Slane ; and this being seen from Tara, the king demanded

who was guilty of this insolence. The Druids replied that the fire they saw would never be extinguished unless it could be put out that night. The king thereupon yoked his chariots, and proceeded to Slane with his two chief Druids. On their arrival at Slane, the Druids would not permit the king to enter the enclosure, where St. Patrick's fires were burning. They counselled that St. Patrick should be sent for. He entered the assembly, intoning the verses :—"Some put their trust in chariots, and some in horses ; but we will remember the name of the Lord our God." Hereupon follows a strange contest between St. Patrick and the Druids, which, of course, eventuated in the defeat of the latter. After this, the king, humbled and terrified, returned to Tara, with a few attendants who survived.

In this, as in other instances, we are struck by the fact that St. Patrick did not commence by preaching to the body of the people, but addressed himself, in the first instance, to the local chiefs. According to Dr. Todd, "This policy may have been pursued by St. Patrick as much from necessity as from a knowledge of the character and habits of the people. The chieftain once 'secured,' the clan, as a matter of course, were disposed to follow in his steps. To attempt the conversion of a clan in opposition to their chief would probably have been to rush on inevitable death, or, at the least, to risk immediate expulsion from the district. The people may not have adopted the outward habits of Christianity (which was all, perhaps, that they at the first instance adopted) from any clear or intellectual appreciation of its superiority to their former religion ; but to obtain from the people even an outward profession of Christianity was an important step towards ultimate success. It enabled Patrick to plant in every tribe schools, churches, and monasteries. He was permitted, without opposition, to establish among the half-pagan inhabitants of the country societies of holy men, whose usefulness, devotion, and piety, soon produced an effect upon the most barbarous and savage hearts. This was the secret of the rapid success attributed to St. Patrick's preaching in Ireland. The chieftains were at first the real converts. The baptism of the chieftain was immediately followed by the adhesion of his clan. The clansmen pressed eagerly round the missionary who had baptised their chief, anxious

to receive that mysterious initiation into the new faith, to which their chieftain and father had submitted. The requirements previous to baptism do not seem to have been very rigorous; and it is not improbable that in Tyrawley and other remote districts Patrick, as he tells us himself, may have baptised some thousands of men.”\*

What was the form of society which St. Patrick thus established in Ireland? Amidst lawless and savage paganism, it would have been dangerous to disperse individual missionaries. It was necessary that the Christians should form communities capable of defence, and thus a monastic character was impressed upon early Irish Christianity. But the tribal system prevented the early missionaries securing lands for the formation of monastic establishments. There was not wealth in the country to endow or support monastic institutions, such as were subsequently established on the Continent. This difficulty was obviated by the creation of artificial tribes, of which the first missionary became the chief. Land granted to St. Patrick, or to any other ecclesiastic, by its original owners, conveyed to the Clerical Society, of which it was the endowment, all the rights of the chief of the clan. The curious history of the foundation of the bishopric of Trim illustrates this. Fedleaid, when converted, dedicated to Lonmen, and Patrick, and Fortchenn, his son, all his territory and possessions in Trim, “*with his possession, and with all his substance, and with all his clan.*”

The tribe thus created consisted both of the monks and of the original tribesmen. The priest or saint to whom it was originally dedicated, filled three distinct characters: First, Temporal Chief of the Clan;† second, Abbot of the Monks; third, that of Bishop of a Community. Upon the death of the original saint, who was the founder of this society, his powers passed to his co-arb or heir. The three offices exercised by the original founder might be united in one person, or divided among three; but his successor in the office of abbot was specially deemed to be his co-arb or heir, and was the ruler or head of the ecclesiastical portion of the tribe. Thus we have two lines of descent from the original founders of

\* Todd, Life of St. Patrick, p. 498. [See Note VI., at end of chapter.]

[† See Note VII., at end of chapter.]



this clan—one representing his lay and the other his clerical successors.

It was not necessary that the abbot should be a bishop; and yet it was necessary that a bishop should form part of the community, for the purpose of the performance of those rites requiring episcopal intervention.

Under these circumstances jurisdiction over the religious community was appropriated to the abbot, and the bishop was considered merely as a superior priest who exercised a peculiar function. As the bishop had no judicial authority, his exercise of his office was not confined to any particular district. Nor was it necessary that the number of bishops should be limited. A bishop was employed in a religious house to exercise the functions of his degree in subordination to the head of the monastery. We meet continued instances of this in the lives of the Irish saints. When St. Brigid erected her monastery on the plain of the Liffey, she reflected that she ought to provide with prudent care regularly in all things for the souls of the people, as well as for the churches of the many provinces which adhered to her; she came to the conclusion that she could not do without a high priest to consecrate churches and settle ecclesiastical decrees in them. She therefore selected a holy man, a solitary adorned with all virtues, and by whom God had wrought many miracles. She sent for him from the desert, and went herself to meet him. He agreed to her proposals, and she engaged him to govern the Church with her in episcopal dignity, that nothing of a sacerdotal order should be wanting. But Condlaed, the bishop thus selected by St. Brigid, was subject to the orders of the abbots.

“This Condlaed was Brigid’s principal artist, and he was devoured by dogs, because he set out for Rome in opposition to Brigid’s command, wherefore Brigid’s prayer that he might come to a sudden death by the way, which was fulfilled.”\*

As the episcopal office was not exercised in any specific district, the number of bishops was immaterial, and so numerous were bishops, or rather priests having episcopal orders, that we find small communities exclusively of bishops. The Martyrology of

\* Todd, *Life of St. Patrick*, p. 11.

Donegal mentions six groups of seven bishops, and a litany of the ninth century refers to 141 groups of seven bishops each, at various places and churches in Ireland. St. Patrick is stated to have consecrated 350 bishops. The Four Masters speak of 700 bishops.

We may easily believe, under these circumstances, that the bishops were not surrounded by the pomp which they enjoyed in other countries, as appears from the legend of St. Columba. "Bishop Etchen is venerated in Cluain-fota-Boetain in Ferra Bile in the south of Meath, and it was to him that St. Columba went to have the order of bishop conferred on him. Columba sat under the tree which is at the west side of the church, and asked where the cleric was. 'There he is,' said a certain man, 'in the field where they are ploughing below.' 'I think,' says St. Columba, 'it is not meet for us that a ploughman should confer orders upon us, but let us test him.'" The bishop, by miracle, vindicated his sacred character, and Columba received ordination at his hands.

The peculiarities of the Irish ecclesiastical system may be summed up—1st, the bishopric was simply an ecclesiastical degree or spiritual function, without any judicial or administrative power; 2ndly, the country was not divided into districts with local ecclesiastical authority, but the Church consisted of isolated monasteries which were practically independent of each other; 3rdly, the clergy exercised no judicial power over the laity.

The Irish monasteries were constituted in the following manner:—The artificial tribe created by the founder of the institution was governed by the co-arb or heir of the original saint, who enjoyed all the rights and principalities which belonged to the original chieftain, as well as the abbatial authority of the saint, but the temporal and spiritual portions of the office were generally divided. The spiritual co-arb was elected by the community of monks over whom he presided. The chieftain (or secular co-arb) was elected under certain restrictions by the clan. In this system there was an obvious tendency not only to restrict the chieftainship to the family of the original founder, but to throw the spiritual succession in the same line.\*

The family of the monastery comprised as well the monks as

[\* See Note VIII., at end of chapter.]

the clansmen, vassals, and serfs living on the territory of the corab. In many cases they were very numerous, as appears from the battle between the families of the monks of Clonmacnoise and Durrow in the year 764. The collection of the produce of the farm and rents and tributes of the tenants was made by an officer called Erenach. The internal domestic affairs of the monastery were overlooked by the *Æconomus* or houseman, who superintended the labours of the monks, and saw the establishment supplied with food and other necessities.

The Church, thus organised, afforded safety and security to its members, and naturally became a refuge for fugitive ecclesiastics from Britain and Gaul; hence sprung up the schools of learning, for which Ireland was celebrated at the beginning of the middle ages. We must neither over-estimate nor depreciate these establishments. The learning they possessed must be judged by the cotemporary state of Europe, not by reference to the education of the present day. They undoubtedly were in advance of any schools existing on the Continent, and the list of the books possessed by some of the teachers prove that their institutions embraced a considerable course of classical learning. The civilisation of Ireland at this period, as far as it arose from monastic institutions, was strictly confined within the limits of the monasteries, and did not affect the general condition of the people.

The introduction of Christianity was not attended with the establishment of law and order; the form of the Church rather repelled than favoured the growth of a national sentiment; commerce and wealth could not flourish in default of a strong government, and where wealth and commerce are impossible, civilisation is of tardy and feeble growth. The monasteries were themselves but communities of ascetic and hard-working men, who, though faring coarsely and living rudely to some extent, cultivated learning as part of their religious profession, but had not the means, nor probably the desire, of practising the refinements of civilisation, or of devoting themselves to learned leisure.

There soon arose in the Irish Church a zealous missionary spirit. St. Columba, banished from Ireland, established the monastery of Iona, and by himself or his missionaries preached Christianity throughout Scotland. In leathern boats, which would



not now be thought seaworthy, these zealous preachers of the Gospel went northward as far as Iceland, for the Norse, when they first colonised that island, found traces of the residences of Irish monks, and the legend of St. Brendan would lead us to suspect these enthusiastic missionaries sailed westward into the Atlantic in quest of distant lands to conquer for the Gospel.

Irish missionaries crossed over to England, and found their way to Gaul, Switzerland, and Germany, where the peculiar discipline of their Church rapidly brought them in conflict with the ecclesiastical system on the Continent, for the Irish bishops, disregarding the canon law, exercised their episcopal functions without reference to the territorial jurisdiction of the local bishops; and the *episcopi vagantes* are alluded to and condemned in various canons.\* By the Synod of Hereford, A.D. 675, it was enacted that bishops who were monks should not go about from place to place, or from monastery to monastery, unless sent by the abbot, but should continue in the same obedience they promised at their conversion. The Council of Chalons-sur-Saon, in 813, declares the orders conferred by these Scottish bishops to be null and void, expressing a doubt as to the validity of their episcopacy, and accusing them of admitting unfit persons to orders. The title of this canon is, "On the nullity of the Ordinations conferred by the Scoti who call themselves Bishops." At the Synod of Cealcythre, in the year 816, by the 5th canon, it was ordained that no person of the Scotie race be permitted in any diocese to exercise the sacred ministry, and it is declared unlawful to receive any assistance from these Scotie ecclesiastics either in Baptism, or the celebration of the Mass, or administering the Eucharist to the people—1st, because it is uncertain whether or by whom the Scotie bishops were ordained; 2ndly, because they scrupled not to enter other dioceses without the consent of the diocesan.

A third reason is added, which points to the peculiar constitution of the Irish Church. "We know it to be enjoined in the canons that no bishop or presbyter venture to intrude upon the parish of another without the consent of his own bishop. So much the more should we refuse to receive the sacred ministrations from

[\* See Note IX., at end of chapter.]

foreign nations, amongst whom no rank is given to the metropolitans, nor honour to the other bishops." It is probable also that many impostors, pretending to be Irish bishops, travelled on the Continent, and assumed to perform episcopal functions. At a later period Irish pseudo-bishops are especially mentioned. We can thus form an idea of the mode in which the Irish Church was regarded by Continental ecclesiastics. There is no allusion to any difference of doctrine.\* The Irish are never spoken of as heretics, and the validity of their orders was practically acknowledged; but the organisation of the Church was regarded as anomalous, and their system of Church government was esteemed to be barbarous. Speaking of St. Malachy, St. Bernard writes:—"Our friend Malachy was born of a barbarous people in Ireland. There he was educated; there he was taught literature; but from his native barbarism he has drawn nothing, no more than the fish of the sea retains the taint of the salt of the ocean."†

During the early period the Irish ecclesiastics appear as an aggressive body in England and the Continent—ecclesiastical interlopers, who put into confusion, and set at defiance, the ecclesiastical arrangements of the countries which they visited. Proud of their native Church, they claimed to be duly ordained bishops, and asserted a right, whenever and wherever they pleased, of exercising their spiritual office; but subsequently the position of the Irish Church was changed by the effects of the Danish invasions. Their monasteries were devastated, their schools of learning broken up, and as fugitives they sought the Continent, which they had before visited as missionaries. Under these circumstances, the influence of the Continental Church reacted upon Ireland.

In the eleventh century the intercourse between this country and the Continent became very active. What did an Irish monk, sojourning upon the Continent, then behold? He saw emphatically, in one word, Rome. The ancient Roman Empire had perished; but the idea of a grand Imperial Rome still possessed the imagination of mankind. Not merely was there spiritual Rome, but also the German Empire inherited in popular belief the position and the glories of the Roman. The idea of spiritual and temporal

[\* See Note X., at end of chapter.]

† Op. St. Bernard, Vol. I., col. 659.

unity possessed the imagination of mankind. Rome was the seat of a great bishop, who claimed to rule the Christian Church, and vindicated religion and justice in opposition to the caprices of local tyrants. The Church, represented by the pope, ruled in all things spiritual, extending its jurisdiction over an unbroken hierarchy from the centre of its government to the remotest portions of the Christian world. At the same time, in theory at least, there was an emperor unquestioned in his power as the vicegerent of God, dealing out justice impartially to all men. What must have been the feelings of an Irish ecclesiastic who viewed this mighty system? He must have contrasted it with his native island, broken up into petty tribes, incessantly warring with each other, presided over by a powerless king, who had neither the means nor the inclination to control his so-called subjects. He must have thought of the monasteries not yet resuscitated, the schools of learning deserted and almost forgotten, and longed to have assimilated his Church and country to the great system of the Continent.

How then, also, must the Roman ecclesiastics have regarded the Church of Ireland? They could not have entertained the idea of a separate and National Church, organised according to the social wants of a small and barbarous people; nor could they have tolerated the idea of schism or separation. Their theory was the establishment of one consistent system—a great imperial government in things temporal—a great ecclesiastical government in things spiritual.

Under these circumstances, it is not wonderful that Continental influence reacted upon the Irish Church. Irish priests, who had sojourned at Rome, esteemed as barbarous those parts of their own Church's government which were national and Celtic, and set about reforming and altering it, so as to assimilate it to the Continental pattern.

Such were the views of Celsus and St. Malachy, the latter of whom acted under the influence, and by the advice, of the great St. Bernard. In 1016, a Synod was held, not for the purpose of discussing doctrinal points, as to which there was then no question, but with the object of assimilating the government of the Irish Church to that of Rome, and bringing it into immediate connexion with the Papal See. In 1152, a Council was held at Kells, at



which John Paparo appeared as legate of Pope Eugenius the Third. He brought over four palls to Ireland, one of which he conferred on Armagh; another he gave to Dublin; the third to Cashel; and the fourth to Tuam. At this Council Ireland was divided into dioceses, and the pre-eminence of the several archbishops definitely recognised. As we shall see afterwards, from the Council of Cashel, about or subsequent to this time, parishes were created, and priests established throughout the country, who were not supported by, or connected with, monastic establishments.

There had in the course of the eleventh century grown up another Church in Ireland among the Danish colonists, who had been converted to Christianity by missionaries from England, and their bishops derived succession from the Archbishop of Canterbury, and not from the Irish Church. The existence of this Danish Church is not of much importance in subsequent history, but explains many statements made by ill-informed English writers as to the position of the Irish Church.

Such was the state of the Church in Ireland prior to the date of the English Invasion. We have seen that this Church was originally modelled after the fashion of the political and social form of Celtic society, and was gradually adopting the system of Church government prevailing on the Continent. It was looked upon as a Church in some degree isolated from the rest of the world—of peculiar organisation, and irregular character, severed, as it were, from the great body of Christendom. It was the object of the most learned men of the Irish Church itself, and of the ecclesiastics of the Continent, to reclaim it from barbarism—to assimilate it to the Continental Church, and to make it an integral portion of the spiritual empire of Rome.

When we come to the English Conquest, we shall see how far this object was put forward as an excuse for an unprovoked invasion; and, at a subsequent period, we shall observe how far the attempt to carry out this object, or perhaps the failure to do so, effectually aggravated the disorders which affected Ireland.

## NOTES TO CHAPTER IV.

---

### NOTE I.

WHILE this is certainly so as regards the use of the ordinary Irish alphabet, it is, to say the least, a more doubtful question as regards the Ogham inscriptions. In the opinion of several most careful archæologists, among others of the late Sir Samuel Ferguson, stones with Ogham inscriptions are found over tombs of probably, if not certainly, pagan date.

The Ogham alphabet is generally supposed to show, by its arrangement, that its inventor was acquainted with the Roman alphabet ; but with the intercourse with Ireland and Roman Britain, a pagan Irishman might have acquired the knowledge.

---

### NOTE II.

As the Church in Ireland was later organised, the bishoprics, while remaining the bishoprics of tribes, became territories with a territorial jurisdiction co-extensive with the territory occupied by the tribe at a particular time, and with an episcopal title, taken either from the territory itself, as Meath and Ossory, or from the place within the territory where the bishop had his seat. This change was completed by the twelfth century ; and the present divisions of the Irish dioceses pretty well correspond with the territories which the principal tribe occupied or exercised authority over at that time, while the ecclesiastical province of Armagh corresponds with the two kingdoms of Ulster and Meath (associated together by their kings being of the same races, and by their alternate right of succession to the Crown of all Ireland), that of Dublin with the kingdom of Leinster, that of

Cashel with that of Munster, and that of Tuam with that of Connaught. So the diocese of Derry has the territory of the Cinel Eoghain; that of Raphoe, of the Cinel Connaill; and that of Meath, of the Southern Hy Niall; and that of Killaloe, of the Dal Cais.

In this stage the position of the Irish bishoprics hardly differed from that of the English bishoprics before the Norman Conquest, also essentially bishoprics of the folk and not of the city.

Elmham and Dunwich, Dorchester and Ramsbury, bore and bear as little resemblance to Italian or Gaulish episcopal cities as the See of any Irish bishop could do.

---

### NOTE III.

There seems to be an overwhelming preponderance of evidence that Bonavem Taberniæ and Nemthur were in Strathclyde. All the early Lives of St. Patrick, down to that by Jocelyn of Furness, in the twelfth century, wherever they state where Nemthur was, describe it as being among the Britons of Aileluaide (Dunbarton); and Nevtur (the Welsh equivalent of the Irish Nemthur) seems to be used as a synonym for Aileluaide, in a poem in the Black Book of Caermarthen (Skene, *Four Books of Wales*, Vol. II., p. 31.) The view that Bonavem Taberniæ was in Gaul, adopted by McCashel Hoey, by Miss Cusack (the Nun of Kenmare), in her *Life of St. Patrick*, and by Mr. J. G. Barry, in a short but able essay on *St. Patrick, Apostle of Ireland*, seems to have been first put forward by Dr. Lanigan, and is based principally on fancied resemblances between the names of Bonavem Taberniæ to Bononia (Boulogne-sur-Mer) and Tarabanna (Terouenne) and of Neutria, the Latin rendering of Nemthur, to Neustria, on statements in two of the Lives, that he was made captive in Arimuric (Irish) or Armorica (Latin), which is assumed to be the Gaulish Armorica, and on an assumption that his statement that his family resided "in Britanniis" might as well mean in Brittany as in Britain.

But even admitting that such arbitrary alterations of the text as required for this view be allowed, and (what is by no means certain) that Armorica had obtained the name of Britannia by (at latest) the beginning of the fifth century, Boulogne was far distant from any part of Armorican Brittany, from which it was separated by the wide territory afterwards, but not for two centuries afterwards, called



Neustria. But as the same accounts which state that he was taken captive in "Arimuric," distinctly state that he was born among the Britons of Ailcluaide, and "Arimuric" is frequently used by Irish writers, as a general term, to denote any district on the sea-coast—a *riviera*—and probably bears the meaning in one out of the three places in which this statement occurs.

An able article in the *Dublin Review*, January, 1883, abandons the Boulogne birthplace for one in Central or Southern Gaul. The argument on which the author lays most stress is the improbability of Roman names like Calpurnius and Roman titles like Decurio existing in Strathclyde in the end of the fourth or beginning of the fifth century. But we know how enduring the Roman civic organisation was. The legions were not finally withdrawn until 407. After their withdrawal, and when the provincials were left to their own resources, there is strong evidence that the princes of Strathclyde belonged to the most Romanised section of the Britons; and although the open country was, no doubt, from time to time, swept bare by the Picts and Scots after, as it was before, the legions left, the "Ordo Decurionum," may well have still existed in the unconquered city. Calpurnius, the priest, was, no doubt, a Briton, as Aurelius Ambrosius, the prince, was, and the name that Patrick bore in his youth—Succat—is barbarian-sounding enough. No doubt, this consideration of the state of the former Roman province is an argument for an early as against a late date for the St. Patrick of the Confession—a question which will be referred to in a subsequent Note.

Further, at that time the plural *Britanniæ* was the official and recognised term to express the Roman provinces in insular Britain, and its meaning in the fifth century was as unmistakable as the term "Great Britain" would be now; and in the Epistle to Coroticus he speaks of the soldiers of Coroticus as his fellow-citizens. The question as to whether the St. Patrick, the author of the Confession, did not start on his missionary career from the Continent is another and a very different one, as to which see the next Note.

---

#### NOTE IV.

The mission of Palladius is the only event connected with the establishment of Christianity in Ireland as to which there is contem-

porary Continental authority ; and although tradition gives varying accounts, and different opinions may well now be held, of the results and termination of his mission, the account given by Prosper of Aquitaine, of the circumstances under which it was undertaken, have never been questioned. In his Chronicle, written *circa* 455, he says, under A.D. 429—"At the instance of the Deacon Palladius, Pope Celestine sends Germanus, Bishop of Auxerre, in his name (*vice suâ*), and having driven away the heretics" (*i.e.*, Pelagians), "directs the Britons to the Catholic faith." And under A.D. 431, "Palladius, having been ordained by Pope Celestine, is sent as the first bishop to the Scots believing in Christ." And, under the same year, he says of Pope Celestine, that having ordained a bishop for the Scots, whilst he strove to keep the Roman island (*i.e.*, Britain) Catholic, he made also the barbarous one (*i.e.*, Ireland) Christian. Palladius was probably a Gaul, and a member of a family which gave an archbishop to Bourges before, and another shortly after, this date, and a member of which had been banished to Britain by Julian the Apostate. It may, therefore, be doubtful whether he was a deacon of the Roman Church, or one sent by the Gaulish bishops, who had held a Synod on the subject, to urge on the pope the necessity of sending the mission to Britain.

There is no further contemporary Continental reference to Palladius or his mission, but he is mentioned in all the early Irish Lives of Patrick, and in all of them his mission is described as a comparative failure. He is stated first to have landed at Inver Deagha, now the mouth of the river Vartry at Wicklow, and to have been driven away by the chief Nathi, son of Garrechu, the same place where St. Patrick afterwards attempted to land, and the same chief who prevented him from landing. He seems, however, to have remained some time in the country, and to have consecrated some churches ; and one account says positively, and another as one of two accounts, that he was martyred in Ireland. Most of the accounts, however, state that he returned to Britain, and died in the territory of the Picts, and the later lives state the place of his death to have been Fordun, in the Mearns.

So much of the history of Palladius and his mission seems necessary to be given, as it and the Confession and Epistle of St. Patrick are the absolutely certain points in a most difficult and complicated question, namely—to how many persons are the Patrician legends referable ?

Another important matter with reference to him is to be noted.

Tirechan, in his annotations to the Hymn of Fiacc, in the *Book of Armagh*, calls him "Palladius qui Patricius alio nomine appellabatur." I shall have to refer further to Palladius and his mission in a subsequent Note.

---

NOTE V.

The view given in the text of the history and work of St. Patrick is, in substance, that taken by Dr. Todd, in *St. Patrick, the Apostle of Ireland*.

Since these lectures were first published, several works of great learning and ability have been written upon the Patrician Controversy. The principal of these are *Loca Patriciana*, by the late Rev. J. F. Shearman, P.P.; an article in the *Dublin Review* for April, 1880, on The Birthplace of St. Patrick, by Cardinal Moran; the article in the *Dublin Review* for January, 1883, referred to in Note III.; *The Life of St. Patrick*, by Miss Cusack (the Nun of Kenmare), containing a translation of what is called *The Tripartite Life of St. Patrick*, by Mr. W. M. Hennessy; and a most admirable critical examination of the Patrician documents, by Sir Samuel Ferguson, contained in Vol. XXVII. of the *Transactions of the Royal Irish Academy*, the last published work of that most distinguished scholar, archæologist, and poet, just now passed away. In addition to these, there is a rather full discussion of this question in Skene's *Celtic Scotland*, Vol. II.\*

These, I think, clearly show that the traditional accounts of St. Patrick, resting as they do on documents of great antiquity, going back certainly to the seventh, if not to the sixth, century, although none are strictly contemporary, cannot be disregarded as completely as they are in the view taken by Dr. Todd, and in the text. On the other hand, in my opinion, many of the *Acta* contained in the several Lives of St. Patrick, especially those written after the eighth century, are quite inconsistent with his own statements in the Confession, and it is chronologically impossible to attribute all of them to the one person. Some of these *Acta* may be attributed to Palladius, "qui Patricius alio nomine appellabatur;" others may be rejected altogether as invented additions; but there then remain other traditions, embodied in the earlier Lives, difficult to reject, difficult to reconcile with the statements in the Confession, and difficult

\* To the works mentioned above must be added Professor Stokes' *Ireland and the Celtic Church*, published since this Note was written.



to apply to Palladius; and these the Rev. J. F. Shearman considered applied to a third Patrick, to whom there are occasional references as Sen Patraic, or "the elder Patrick," *Op. Cit.*, Part XIII.

As there has been so much discussion on this subject, and as I think the view adopted in the text leaves many important considerations out of sight, it is, perhaps, not out of place here to give a short sketch—

I. Of the early documents relating to St. Patrick.

II. Of his history according to these documents.

III. Of the various efforts to reconcile that history with his own statements in the Confession and Epistle to Coroticus, and with the admitted facts of contemporary history.

Seven so-called Lives of St. Patrick were published by Dr. Colgan in the *Trias Thaumaturga*. The first and oldest of these is the Hymn of Fiacc, referred to *supra*, p. 76. The others are numbered, and usually cited as the second, third, fourth, fifth, sixth, and seventh Lives, and they are arranged according to their supposed antiquity, the best being what is called the *Tripartite Life*. The sixth Life, by Jocelyn of Furness (*circa* 1182) is probably later than the seventh, which is considered by that distinguished Irish scholar, Mr. W. M. Hennessy, who translated the Irish version of it for Miss Cusack's Life, not to give internal evidence of being later than the end of the ninth century.

The Hymn of Fiacc, with a gloss and scholium of uncertain age upon it, has, in the Irish text, with a translation, been published by Mr. Whitley Stokes (*Goidelica*, 126, *et seq.*).

There are also in the Book of Armagh, in Trinity College Library, two other documents of great importance—one that is called *The Annotations of Tirechan*. This purports to have been taken down by Tirechan from the teaching of Bishop Ultan of Ardraccan, who died in 656. The other, a Life of St. Patrick, by Muirchu Maccumachtheni, which professes to have been written under the direction of Bishop Aed, of Sletty, who died A.D. 698. This Life is imperfect in the Book of Armagh; but a perfect, although later codex, has been found in the Royal Library at Brussels, and the two texts, compared and published by the Rev. E. Hogan, S.J., *Documenta de Sto. Patricio*. Parts had already been translated by Mr. Stokes in *Goidelica*.

These are certainly older than any of the Lives in the *Trias Thaumaturga*, except the Hymn of Fiacc, and Dr. Todd and Mr. Skene consider them to be older than it. Sir Samuel Ferguson, however, considered the Hymn of Fiacc to be the oldest, but to have been

written after 565, as it alludes to Tara as a desert, although the supposed author, Fiacc, Bishop of Sletty, was ordained by St. Patrick.

Of the remaining Lives, two, the second and the fourth, seem to have been written before the end of the tenth century, by the use of the term "Scotia" to designate Ireland.

There is also a Short Life of St. Patrick, by Marcus the Anchorite, probably of the ninth century, annexed to Nennius' *Historia Britonum*.

While, like the Confession, all these Lives, either expressly or by inference, describe St. Patrick as having been born in Britain, the Scholiast on the Hymn by Fiacc, the fifth Life, or Life by Probus, and the *Tripartite Life*, represent him as having been carried off into captivity from Armorica; but in the Life by Probus, the term "Arimuric" may merely mean a sea-side district. In the other two it is distinctly called Arimuric of Letha, or Armorica of the Continent. And the Scholiast, Probus, the Tripartite, and Jocelyn, state that his mother was a sister of St. Martin of Tours.

All agree that he spent thirty years in study on the Continent. The earlier Lives state this study as having been altogether with St. German of Auxerre, but the later ones state part to have been spent with St. Martin at Tours. The place of study with St. German is, except by Muirchu, who places it at Alsiodor, evidently Antissiodurum (Auxerre), stated to be in "the Islands of the Tyrrhene Sea," or "in insulâ Arelanensi," or "Arelatense," probably the delta of the Rhone or Camargue. While engaged in study with St. German, he receives the call to go to Ireland from an angel of God, Victor. He then set out with a companion or companions, sent with him by St. German, for Rome, to obtain consecration as a bishop. While on the journey, they met at a place variously called Ebmorla, Eboria, and Curbia (if either of the former be the true reading, probably, Ivrea, *Eporedia*) Augustinus and Benedictus, bearing intelligence of the death of Palladius. Hearing this, Patrick went no further, but turned aside to a neighbouring city, where he was consecrated bishop by a "wondrous man and chief bishop," Amathorex, and his companions received orders of lower rank. The Scholiast on Fiacc describes Amathorex as "Antisiodorensis Episcopus," which would seem to identify him with Amator, the predecessor of St. German, who died in 418; but also states that it was a week before the death of St. Celestine, who died in 432; and it must have been after 431 when Palladius was consecrated. The Scholiast also states the consecration to have been in the presence of Pope Celestine, and of the Emperor Theodosius the

younger, which latter is a statement rather infirmatory of the evidence, as that emperor never seems to have visited the west.

These dates excluding Bishop Amator, Cardinal Moran, in *Ir. Ecc. Record*, Vol. III., suggests, assuming Ebmorio to be Ivrea, St. Maximus, Bishop of Turin, 425-451, to have been the bishop meant by Amathorex.

After his consecration he proceeded to Ireland. First attempts to land at Inver Deagha (Wicklow), but was prevented from landing by Nathi, son of Garrechu—the same place and the same chief as in the case of Palladius. Sailing northwards, he landed at the mouth of the Boyne, and commenced his missionary labours, which it is unnecessary here to give an account of.

As to the date of his death, there is a great difference between Tirechan, who fixes the death of St. Patrick at two or five years before the death of King Laoghaire MacNiall, who died in 463, and the Hymn of Fiacc, which states him to have preached sixty, and Muirchu, who states him to have taught sixty-one years in Ireland, which would, counting from 432, bring his death to 492 or 493, instead of the 458 or 461 of Tirechan. And while Tirechan says, that, like Moses, no one knows the place of his burial, Muirchu, and all the subsequent Lives, give Down, or Saul Patrick, near Down, as the place of his sepulture.

There is, however, in the Irish traditions, reference to another Patrick, known as “Sen Patraic,” or the elder Patrick. Thus, in the concluding lines of the Hymn of Fiacc, it is said :—

“When Patrick departed, he went to the other Patrick ;  
It is together they ascended to Jesus, Mary’s Son.”

And the Scholiast on this says—“It is what Patrick, the son of Calpurnius, promises to Sen. Patrick, ‘that together they would go to heaven.’ And it is related that Patrick was from the xiii. (xvi.) of the kalends of April to the ix. of the kalends of September upon the field, and angels around him praying to Sen. Patrick.”

In the Felire of Angus the Caldee (O’Curry, MS. materials, p. 61, 363, Petrie’s *Antiquities of Tara*, 93), under August 24 (ix. kal. Sept.)—

(*Sen Patraic*) “Old Patrick, head of battle,  
Mild tutor of our patron.”

And this is glossed—“Tutor of Patrick of Macha,” *i.e.*, Armagh ; and a further gloss states that he is venerated at Glastonbury of the Gael



in Saxon land, "but his reliques are in Ulster, Sen Patraic in Armagh."

The *Annals of Ulster* place under the year 457-458—"Quies Senis Patricii ut alii libri dicunt."

It seems probable that Patricius was (whether there were one or more apostles of Ireland) so designated, a title of honour rather than, and possibly not at all, a proper name. The Lives state that it was given to St. Patrick upon his consecration as bishop, and three names are given as previously belonging to him—*Succat*, *Cothraige*, and *Magonius*. The Rev. J. F. Shearman has given a number of instances where Patrick is spoken of by early Irish writers as the title of an ecclesiastical rank, as "the Patrick of Munster," apparently expressing primacy.

At this time we know that in the Roman civil organisation the term Patricius, "patrician," had lost its original meaning, and had acquired that of the person next in rank to and exercising a delegated authority from the emperor, and, in many cases, to barbarian princes. It may possibly be that this title, familiar in this sense to the barbarians, may have seemed a proper one to designate a bishop pre-eminent in rank and dignity above his fellows, but still deriving his authority from his commission from Rome.

It is also possible that Patricius may have been a family name, as it seems to have been usual to adopt titles, and this among others, as some of the names in the long string of names affected by the Romans of the time, as in the case of Cassiodorus Senator.

Three views have been advocated in the several books I have referred to. 1. The view taken by Dr. Todd, and substantially by Mr. Skene, is so clearly put in the text, *ante*, pp. 75-77, that I need not further refer to it. I have before stated that, in my opinion, it is impossible to ignore the history of St. Patrick's residence in Gaul and mission from Rome, in the way this theory does. This view, however, in substance accepts from the traditional accounts the failure of Palladius' mission, and his return to and death in Britain.

2. Miss Cusack, and the article in the *Dublin Review*, January, 1883, following the older authorities, still deny the inconsistency between the Confession and the Lives, even to the extent of his having been nephew and pupil of St. Martin of Tours. And Cardinal Moran, in the *Dublin Review*, April, 1880, also considers that the Lives are substantially consistent with, and only applicable to, the St. Patrick of the Confession. But St. Martin, who was a native, not

of Gaul, but of Pannonia, died in 402. The Lives which state St. Patrick to have been a pupil of St. Martin, all bring him to Tours, after a period of study with St. German at Auxerre, and St. German did not become Bishop of Auxerre until 418; and it is hardly probable, even if possible, that the pupil, as but a very young man, of St. Martin, would have lived until 492 or 493, the date given for his death by two of the three oldest authorities. I cannot add anything to the arguments used in the text against the probability, or even the possibility, of either the language or the expressions of the Confession being that of one trained in the best schools of Western Europe; and that this pupil of St. Martin and St. German should lament in the touching words of the Confession, not only his lack of learning, but his lack of the means of obtaining it. Nor is it likely that in his indignant protest against those who tried to keep him (or put him) from his hard-earned episcopate (*laboriosum episcopatum*), he would have omitted to mention that he had been consecrated under the striking circumstance mentioned in the Lives, and in the presence of the pope, St. Celestine himself.

I do not, however, think that anything in the Confession is inconsistent with his having visited, or been ordained, or even consecrated in Gaul.

3. The Rev. J. F. Shearman, in *Loca Patriciana*, seeing the difficulties in reconciling the Confession with the Lives, and further, having satisfied himself from his exhaustive investigation of the local traditions relating to St. Patrick, that the *acta* attributed to St. Patrick could not be all of one man, put forward the view that there were three St. Patricks. 1st, Palladius—the story of whose failure and death in Britain he adopts; 2nd, the St. Patrick of the Lives, whom he identifies with “Sen Patraic,” and holds to have come to Ireland in 432, after his consecration by St. Celestine, and to have died in 458 or 461; and 3rd, the Patrick of the Confession, whom he considers to have been a native of Ailcluaidhe, but to have studied in Gaul, to have come to Ireland a simple priest, about 440, to have been consecrated a bishop in Britain or Armorica about 455, and to have died in 492 or 493. This view certainly harmonises the various accounts in a singular degree, but with the difficulty, that while there is contemporary Continental authority for the mission of Palladius, and the Confession and the Epistle to Coroticus, are the writings of Patrick, son of Calpornius, himself, the evidence for the existence of Sen Patrick, as a distinct person, is very shadowy, and it

compels the Lives which profess to be Lives of Patrick, son of Calpurnius, to be treated for the greater part of their contents as applying to a different person.

A view which is suggested, rather than put forward, by Dr. Todd, seems to me to present as few difficulties as any, but still can only be regarded as more than a possible hypothesis; namely, that we should reject the account of the failure of Palladius' mission, which only rests on Irish and some late Scotch authorities, who may have been influenced by a desire to give the whole credit of the conversion of Ireland to the one saint. While Prosper (cited *supra*, p. 91) merely states Palladius to have been sent as bishop to the Scots, the "office" of St. Celestine, in nearly the same words as Prosper's reference to that pope, and Bede, *Ecc. Hist.*, xiii., distinctly attribute the conversion of Ireland to Palladius. Many of the matters in the Lives, most inconsistent with the Confession, may well be true of Palladius. He was probably a Gaul, possibly connected with Britain. He appears in connexion with St. German in the history of St. German's mission to Britain. He then was evidently with, and may have been consecrated bishop by, or in the presence of, Pope Celestine. The history of his repulse by Nathi, the son of Garchu, is exactly repeated in the history of St. Patrick, with the difference, that while St. Patrick, sailing north, lands at the mouth of the Boyne, and commences his successful missionary career, Palladius continues his northward course, and crosses to coasts of Pictland, until he reaches and dies at Fordun, in that same year or the year after. But still we find, in spite of that repulse, that certain churches in Ireland are admitted to have been founded by him, and the fact that Palladius "*Patricius alio nomine appellabatur.*" It is, I admit, very difficult to get over the distinct statement as to the failure of Palladius' mission, which is found in so old an authority as the Book of Armagh; but all the other views seem to me to involve as great difficulties.

As we have seen, the traditional accounts, and those who now hold by them as being consistent with the Confession—Dr. Todd and the Rev. J. F. Shearman—all assume that the mission of Patrick, the son of Calpurnius, was later than that of Palladius. Sir Samuel Ferguson, in his Paper on the Patrician documents, to which I have referred before, has, I think, made out some case for the priority of Patrick, the son of Calpurnius. Certainly the Confession seems to claim for its writer that he was the first to bring Christianity to Ireland. Although Palladius is distinctly said to have been the first



bishop sent, yet he is sent as such bishop "to the Scots believing in Christ." Possibly he was so sent, in consequence of the difficulties, alluded to in the Confession, as to St. Patrick's episcopate.

Upon the whole, I decidedly think that the Rev. J. F. Shearman has made out a preponderating case for there being more than one person successfully engaged in the Christianisation of Ireland; that one of these persons had substantially the career in Gaul described in the earlier Lives; that that one was not the St. Patrick, son of Calpornius, but may have been Shearman's Cambrian, or second St. Patrick, or may have been Palladius.

I have mentioned the Epistle to Coroticus but slightly. It does not seem to me to throw much light on any of the difficulties I have adverted to, nor even to fix its date with any certainty; for although the Coroticus to whom it is addressed seems to be satisfactorily identified with a *Ceretic Guledec*, a *regulus* of or in Strathclyde, Ceretic is represented by some authorities as flourishing about A.D. 490; he is by others identified with Maxen Guletic, the Maximus raised by the Britons to the purple, in A.D. 383; the only certain thing being that he was the ancestor, fifteen generations back, of the King of Aleclyde, living in A.D. 878.

---

#### NOTE VI.

Although the whole of Ireland adopted Christianity in name, at least, through the preaching of St. Patrick, or the St. Patricks, traces of paganism seem to have lingered on for some time, and there is even some reason to think that the Battle of Magh Rath (Moirá), in A.D. 637, was the last despairing struggle of paganism against Christianity, as well as of the Picts of Ulster against the Hy Niall conquerors, both typified in the victorious King of Ireland, Domnall, the near relation of St. Columba.

---

#### NOTE VII.

That is of the artificial monastic clan, created as stated above. The "fine Manach," or Monastic family, remained, however, closely connected with the tribe from whom the "endowment," as we should now call it, proceeded, by reciprocal rights and duties, as to the nature of which see *Ancient Laws of Ireland*, Vol. III., pp. 31, 38, 39, 41.

## NOTE VIII.

As to this see the rules as to the succession to abbacies, given in *Ancient Laws of Ireland*, Vol. III., p. 75. He was first to be elected from the tribe of the saint, *i.e.*, the tribe to which the saint who founded the community belonged by family; in default of one fit to be an abbot in the tribe of the saint, he was to be selected from the tribe of the land, *i.e.*, the tribe from whom the endowment proceeded; and it was only in default of a person fit for the office in either of these tribes, that the co-arb was to be selected from the religious community itself.

It was by this separation of the two lines of succession that, in Scotland, whose ecclesiastical organisation was derived from and identical with that obtaining in Ireland, the abbacies had, by the eleventh century, passed to a large extent into the hands of laymen, in whose families they became hereditary possessions, although they, no doubt, provided fit persons to perform the spiritual duties. Thus, Crinan, father of the King Duncan slain by Macbeth, was lay abbot of Dunkeld. There are many instances to show a similar tendency existing in Ireland from the eighth century downwards, until the reforms of the Irish Church in the twelfth century. See Skene, *Celtic Scotland*, Vol. II., pp. 338-341.

## NOTE IX.

This is, I think, too strongly expressed. St. Columbanus in the Vosges, and St. Gall, in the then almost uninhabited highlands of Suabia, maintained that they were in the wilderness, and not interfering with any established ecclesiastical jurisdiction; and the former, in appealing from the Burgundian bishops—who objected, not so much to his interference with their ecclesiastical jurisdiction, as to his mode of calculating Easter—to Pope Boniface IV., relied on the second canon of the Council of Constantinople, which provided that the Churches of God established among those Barbarians should live according to the laws taught them by their fathers.

It would seem that in his case, at least, there was a *bonâ fide* dispute as to whether he was trespassing on any established ecclesiastical jurisdiction—a dispute natural enough to arise in these border-lands of Christianity and paganism, civilisation, or semi-civilisation, and mere barbarism.

## NOTE X.

This is a point which is often forgotten, when reference is made to the differences which existed between the Scoto-Irish and British Churches on the one hand, and the English (agreeing in every respect with the Roman) Church on the other. These differences were differences of discipline merely. The peculiar Irish ecclesiastical organisation, while looked on as anomalous, as stated in the text, does not seem to have attracted so much attention, and is certainly not thought such a serious matter by Bede, as the difference in the mode of computing Easter, or even the shape of the tonsure.

The Irish mode of calculating Easter (as to which see Bede, *Hist. Eccl.*, Bk. III., c. xxv.), often erroneously said to show a connection between the Irish and the Eastern Churches, was merely the mode of calculation universal in the Churches of the West, before the present cycle was introduced by Victorius of Aquitania in 457, and only finally prohibited on the Continent by the fourth Council of Orleans in 541, after the Christianisation of Ireland, and before communication with the Continent again became possible by that of England.

---



## CHAPTER V.

---

### THE DANISH INVASIONS AND KING BRIAN.

THE period intended to be embraced in this Lecture is that extending from the first appearance of the Danes at the end of the eighth century down to the Battle of Clontarf (known in the Norse annals as Brian's battle), which was fought on Good Friday, 1014. This epoch is marked by three series of events—first, the intermittent invasions of the Danes, which entailed upon the Irish great and protracted suffering, and destroyed the incipient civilisation fostered by the monastic establishments; secondly, the attempted colonisation of Ireland by the Danes, who established themselves upon the sea-board in fortified towns, as partly military, partly trading communities; and lastly, the great uprising of the Celtic population against the Scandinavians, under the command of King Brian, which almost ended in the establishment of a powerful national monarchy.

The name "Danes" is associated in the minds of the Irish with the memory of barbarous pirates, who sought merely for plunder, and wantonly extinguished Christian civilisation and learning. When we call these invaders by their true name, "*Norsemen*," we at once attain a clear idea of their character and object. Ireland was not exposed to a storm which did not waste the rest of Western Europe, and those who afflicted this land were not an unknown or obscure people, but a branch of the great nationality who at first ravaged and subsequently reinvigorated the Continent.

The Danish invasion was the first of the numerous attempts, so often repeated, to conquer the Celtic population, and to establish

among them a foreign dominion. The Danes failed, as so many others have since done, from the interminable resistance, though ill-conducted and intermittent, always offered by the Irish Celts to an invader; and also because their manner, character, and ideas of government, were antagonistic to the feelings of a Celtic tribal people. To understand this, we must realise who and what were these Danes, to whose ferocity and barbarism so many evils have been attributed.

From the limits of Schleswig northward to the polar seas had settled, in remote ages, the great Scandinavian race, so long quiescent, but which at the end of the eighth century broke upon Europe with resistless energy. Their peculiar characteristics were created, or rather exaggerated, by the nature of the country which they inhabited.

The great Scandinavian peninsula is divided by a range of mountains traversing it from north to south; on the east of these lies Sweden, a land of lakes and forests, but affording large tracts susceptible of cultivation; to the west, Norway, the land of the Norse, *par excellence*. Here the mountain ridges approach the western shores; below the highest ranges stretch the uplands, uninhabitable during winter, but affording in summer a pasturage for cattle; seaward from these stretch innumerable rocky promontories, which break the coast into a succession of separate glens. Along the margin, and at the head of the long narrow bays there are found secluded spots fitted for human habitation, where the native population settled in isolated communities. Between these settlements there was little communication, save by sea; the surrounding mountains long restrained the Norse from forming a definite nation; the limits within which each colony was straitened prevented even the establishment of tribes; as the people described by Homer, they had not council-bearing assemblies, nor sacred ordinances, but they each ruled their own children and separate household, and heeded not for one another.\* As in the case of the ancient Hellenes, the nature of the sea-coast forced them to become

\* τοῖσιν δ' οὐτ' ἀγοραὶ βουλευφόροι, οὔτε θέμιστες·

———θεμιστεύει δὲ ἕκαστος

παίδων ἢ δ' ἀλόχων· οὐδ' ἀλλήλων ἀλέγουσι.

sailors from their infancy. Thus they acquired their most distinctive characteristic—boundless self-confidence, self-reliance, and (to use a French term) individualism. The Norse bonder ruled supreme in his own household ; standing by himself, he formed no portion of the tribe in which his personality was merged ; his energies were not cramped by any political system ; subject neither to tribal chief nor feudal lord, he tilled his rocky farm, and if his ordinary resources failed, of his own impulse and free-will he betook himself to the ocean to mend his ruined fortune.

The most conspicuous instance of this trait of their character is the colonisation of Iceland by the Norse. When Harold Fairhair succeeded in establishing himself as a king in Norway, the noblest of the Norse, repudiating the idea of royalty, started forth to colonise a distant inhospitable island ; but they did so rather by common impulse than prearranged plan. Each head of a family embarked by himself with his household, and landed by himself where he first made land.

Iceland for a short time presented the extraordinary spectacle of a number of families living in absolute independence, and without any political union. Then was exhibited the second characteristic of the Norse race—a voluntary acquiescence in self-imposed law. The island was divided into districts, the celebrated assembly of the Thingvalla instituted, and law and order established among a kingless people, who governed themselves of their own sovereign will.

In their ordinary life the Norse were justice-loving, free, gentle, and hospitable, hard-working, ever striving (from an unfruitful soil, and under a wintry sky) to gain the means of bare subsistence. It was when painfully weeding his fields, that an Icelandic hero received the affront so fatal to him and others. Free and thrall, they worked together in planting and reaping their scanty crops, in gathering in the hay harvest, and pasturing their flocks on the upland. But whether as a reaction against the monotony of their lives, or stimulated by the fierce powers of nature which were exhibited around them, there glowed in the breast of the Norse a partly suppressed but wild and melancholy enthusiasm—their mythology was stern and fantastic ; their ideas were full of war and destruction. The feelings of every Norse could at intervals, upon



occasion, break into stern but sorrowful lyric. Thus, though in ordinary life simple and self-conscious, by love and wine they were stimulated to such expression of their feelings, and when drunken with the madness of battle, they then passed into the ecstasies of the terrible berserker rage. Inhabiting a northern and barren country, they ever lived at the verge of subsistence: a bad harvest, a political commotion, innumerable other causes might suddenly reduce them to want; but they were not men to patiently endure, to submit to their destiny, and perish; their boldest and best would then take to the sea as to their native element, and in voluntary bands sail southward, in search of subsistence rather than of plunder: they were not mere pirates, who defied law, and preferred crime and plunder to steady industry, but rather hungry wolves, in winter time issuing from their woods and slaying others, that they themselves might live. They were not mere plunderers by choice: with equal energy they embarked in trade, and were willing to take service under any chief who would hire them. But in all their wanderings their hearts turned to the lonely home in some northern fiord; they went thence forth to bring back to their family wealth and plenty, and the fierce marauders who had harassed the coast of France or England came back stained with blood, to the embraces of their wives and children.

The deep feelings of these pirate Norsemen, as also their unbounded energy, are shown in the passage in the *Burnt Njal*, where the brothers Gunnar and Kolskegg (marked for vengeance for the shedding of blood, although in self-defence), having bade adieu to their home, rode down to the ship which was to bear them away to safety. "They rode down the Markfleet, and just then Gunnar's horse tripped and threw him off. He turned with his face towards the Lithe, and the homestead at Lithend, and said—'Fair is the Lithe, so fair that it has never seemed to me so fair; the corn-fields are white to harvest, and the home mead is mown; and now I will ride back home, and will not fare abroad at all.' 'Do not thus give joy to thy foes,' says Kolskegg, 'by breaking thy atonement, for no man could think thou wouldst do this, and thou mayest be sure that all will happen as *Njal* has said.' 'I will not go away any whither,' said Gunnar; 'and so I would thou shouldst do too.' . . . . But he would not, and so they

parted there and then. Gunnar rides home to Lithend, but Kolskegg rides to the ship and goes aboard." The gentler brother went back and met his doom; the sterner "was baptised in Denmark, but still he could not rest there, but fared east to Russia, and was there one winter. Then he fared thence out to Micklegarth (Constantinople), and there took service with the emperor."\*

Those who fared forth were not mere adventurers: they were the noblest and freest of their nation. The establishment of royal power in Norway drove them out, and the kings of Norway, who pursued them into new homes, scattered them further southward. "As we now regard the establishment of royal power in Norway, we see that what to them was unbearable tyranny was really a step in the great march of civilisation, and that the centralisation of the royal authority was, in time, to be a blessing to the kingdoms of the north. But to the freeman it was a curse. He fought against it as long as he could: worsted over and over again, he renewed the struggle, and at last, when his isolated efforts were fruitless, he sullenly withdrew from the field, and left the land of his fathers, where (as he thought) no free-born man could now care to live. Now it is we hear of him in all lands. Now France, now Italy, now Spain, feel the fury of his wrath, and the weight of his arm. . . . But of all countries, what were called the western lands were his favourite haunt—England, where the Saxons were losing their old dash and daring, and settling down into a sluggish, sensual race; Ireland, the flower of Celtic lands, in which a system of great age and undoubted civilisation was then fast falling to pieces, afforded a tempting battle-field in the everlasting wars between chief and chief; Scotland, where the power of the Picts was waning, while that of the Scots had not taken firm hold on the country, and most of all, the islands in the Scottish main—Orkney, Shetland, and the outlying Faroe Isles,—all these were his chosen abode. In these islands he took deep root, established himself on the old system, shared in the quarrels of the chiefs and princes of the mainland—now helped Pict, and now Scot; roved the seas and made all ships prizes; and kept alive his old grudge against Harold Fairhair and

\* The *Burnt Njal*, Vol. I., pp. 237-256.

the new system by a long series of piratical incursions on the Norwegian coast.”\*

But besides those who fled from oppression, or sought subsistence, the North furnished an unbounded supply of mere sea-rovers. Among all nations who reside upon the sea-board, piracy has once been an honourable calling. In ancient days pirate galleys of the Hellènes cruised in the Mediterranean. Far down into the sixteenth century, the Christian nations of Europe acted much in the same manner. The old law, or no law, lingered in the American waters, and Drake and Frobisher robbed and burnt, with the support of the government and the approbation of their cotemporaries. But no nation ever took to the sea with such unanimity and heartiness as the Northmen. The two causes which have been mentioned—political disturbance, and the pressure of population on the means of subsistence—may have originated, but do not account for, this almost national impulse. Many a freeman, who might have followed as a retainer some leader by land, or ruled a petty king on shore, sought and found a home and kingdom upon the sea.

The profession of a sea-rover was called in Norse “Viking”—a patronymic formed from “Vik” (a bay); the sea-rover himself was called “Vikinges.” There were vikings of every character—some, fierce robbers, who spared neither sex nor age, of whom, as of the buccaneers, were strange stories told, in both cases, probably, equally wonderful and apocryphal. Some vikings possessed the gentleness and honour which are attributed too exclusively to the age of chivalry. Thorwald—a just man, and though a heathen, in charity resembling a Christian saint—was a viking; so was the gentle Gunnar of the Burnt Njal.†

As the ideas of law and Christianity gradually spread, public opinion turned against the professional viking. The word “viking” was used to express any robber, and the profession of a viking died out when it was admitted to be an anomaly, and felt to be a nuisance.

\* Dasent's Introduction to the Burnt Njal, p. ix. [The editors of the *Corpus Poeticum Boreale* consider that it was in these islands that the great Norse poems were composed, and that the adoption then of the poetical form of composition instead of the prose Saga, of which Iceland was the chosen home, was probably due to Celtic influences. See Vigfusson and Powell, *Corpus Poeticum Boreale*, Int., pp. lvi. lxxii.]

† Dasent's Burnt Njal, Vol. II., p. 221.



Owing to the misconception prevailing even among educated persons in Ireland as to the origin and objects of the Danes, I have been the more anxious to enable you to realise their national character. They were a people which, if transplanted to the shores of the Mediterranean, might have rivalled the ancient Hellènes; but their glorious gifts did not mitigate the sufferings which they inflicted, and their genius and energy gave them (in the case of Ireland at least) greater capacities for mischief.

We must distrust the statement in Irish Chronicles as to the number of the invaders. The difficulties involved in transporting large bodies of men were far greater then than now, and the fleets which assailed Ireland were not equipped by the resources of a wealthy State. They consisted merely of volunteers, joint-stock partners in a piratical expedition, or of petty chiefs, with their immediate followers. Twice was the whole power of the North marshalled to assail Great Britain, on both occasions to meet with disaster; but neither Harold Hardrada, nor Eric, brought to the battles of Stamford Bridge or Largs any large number of fighting men. The force of the Norse vikings lay rather in the picked character and equipment of their followers, their reckless bravery, the suddenness of their onset, and the rapidity with which they moved from point to point in their vessels. Landing unexpectedly, they made directly for some well-known monastery, whose wealth they carried back to their ships. Little plunder could be obtained from the Celtic inhabitants, and the efforts of the invaders were, therefore, directed against the ecclesiastical establishments.

The monastery of Armagh was rebuilt ten times, and as often destroyed. It was sacked three times in a month. The result of these constant invasions was the extinction of the feeble sparks of civilisation which had been kindled among the monks—the schools of learning were dispersed, and the Celtic nation more disorganised than before.

The Danes appear in the Irish seas, for the first time, in the year 795 (*circa*), when they plundered the island of Rechru.\* The plundering of the religious houses, and the devastation of the country, were carried on by the Danes irregularly, but, on the whole, with great perseverance, down to the middle of the ninth century,

[\* Lambay.]

and afterwards, as political or natural causes drove the Norse from their homes, down to the period of Brian.

A determined effort permanently to conquer Ireland was, about A.D. 832, made by a viking, named in the Irish Annals Turgesius. Encouraged by the dissensions among the native chieftains, he seems to have aimed at establishing a sovereignty over his own countrymen in Ireland, the foundation of a permanent colony, and the conquest or extermination of the Celtic population. He would appear, also, to have attempted to establish the paganism of the Norse in place of Christianity in Ireland. After a prolonged contest with the natives, he perished in the year A.D. 845.\*

When we consider the energy of the Norse, their superior equipment and experience in war, and the dissensions which continually raged among the native chiefs, it may seem strange that the Celtic population did not succumb, and Ireland suffer the fate of the Western Isles. But a nation organised upon the tribal system, and inhabiting a country of sufficient extent, is equally incapable of resistance and conquest. The invaders arriving upon any point of the coast meet with a feeble and ill-conducted resistance from the local chieftain; but the defeated tribe, though perhaps crippled and pillaged, retires as unbroken in organisation as a regular army into its natural fastnesses. As the invaders advance, a similar resistance encounters them in each successive district. Their forces waste in continually renewed and indecisive battles. There is no capital, where the government of the natives is concentrated, which may be captured, and the natural resistance thereby paralysed. The natives of the country do not gather of one accord into a body, and stake their freedom on the issue of a single decisive engagement. As the invaders traverse the country, they are exhausted by fruitless combats, and dispirited by a prolonged resistance, which could not have been reasonably expected, while their communications are ever cut off by enemies, who, although defeated, yet close upon their rear like water. The strength for resistance in a nation so organised arises from its political disorganisation. Like an animal of the lower order, it may be stabbed through again and again, without a mortal wound being inflicted.

[\* Turgesius has been supposed to be the celebrated Raquar Ladbrog; but this is a very doubtful identification.]

Such is the history of the Danish predatory invasions—a prolonged and hopeless struggle—the only result of which was the extinction of nascent civilisation, and the degradation and debasement of the suffering people.

Many of the Danes, who had probably sought Ireland as invaders, settled permanently in the country. They did not, however, amalgamate with the Celtic inhabitants, but founded numerous trading communities upon the coast. Dublin, Wexford, Waterford, &c., were originally, and always continued to be, Danish cities. The local names, such as Howth, Skerries, Leixlip, &c., show how firmly the Norse colonists established themselves. The cities built by the Danes altogether differed from the temporary constructions of the Celtic tribes; they were at once garrisons and emporia, well fortified, and capable of defence. An imperfect mutual league seems to have existed among the chiefs of the towns and the Norse inhabitants of Man and the southern islands; the looseness of this alliance, and the power which it possessed, when once got into action, will be sufficiently shown in the history of Brian.

The establishments of the Norse might have had a favourable effect upon the condition of the island; in them commerce might have been fostered, the accumulation of capital stimulated, and that introduced which was so remarkably deficient in the condition of the Irish—viz., a reasonable stimulant to such industry as would tend to produce an improvement in the material condition of the mass of the people. The Danish colonies produced no such results; they rather aggravated the civil dissensions, and ultimately proved the obstacle to the consolidation of Ireland into a national monarchy. They were not sufficiently wealthy and powerful to command respect. Their civilisation was not conspicuously superior to that of the natives, and the paganism still retained by the Danes deprived them of all moral influence among a people, of less political vigour, but professing a purer creed. All the circumstances which enabled the colony of Marseilles to exercise so beneficial an influence in southern Gaul were utterly wanting to the Danish trading towns. Their precarious position left two courses only open to them—amalgamation with the natives, or, by the subjection of adjoining tribes, the establishment of a powerful Danish State. The former they never attempted; the latter they wholly failed to accomplish.



The difference in the social and political ideas of the Dane and Celt naturally rendered the former impossible. How could a Celt be induced to become the citizen of a Danish town? Could he abandon the ties of tribe and clanship, quit the lands of which he was a joint owner, leave the service of the Christian religion, and join an assembly of men, half rovers, half traders, who, self-confident, bound together by no tie but voluntary acquiescence, gathered in arms at the Thingmot to ratify by the popular voice the councils of an elective chief? How could the foreign colonists be absorbed into the surrounding tribes? Which association of clansmen would admit into the privileges of their community aliens in blood and language, of a hateful faith, and the descendants of those who had wasted their country and desecrated their shrines? Could the sea-loving, wandering Dane have been fused together with the sea-hating, home-abiding Irish, whose sympathies were ever influenced by traditional or local associations?

Conquest, when attempted upon a grand scale by Norse adventurers, had failed for the causes before mentioned; much less could small town communities hope to succeed in such a task. Their utmost efforts could not do more than secure the district immediately around their homes; and they effected this by playing off the Irish chiefs against each other, joining with them successively in temporary alliances, and always ready to unite against that chief whose power inspired them with most apprehension. Thus these cities formed constant centres for disturbance, and were ever enlisted on the side of anarchy and disorder. At intervals, when some crisis in the northern regions sent out a fresh swarm of adventurers, an effort at conquest and subjection by brute force was made; but such power, acquired by temporary, overbearing violence, was short-lived, and matters regularly relapsed into their former condition. For nearly two centuries such was the history of Ireland. The Annals contain, during this period, merely a recital of interminable battles with the foreigner, in which, with commendable patriotism, the historians attribute many more victories to the natives than the general result of affairs would warrant.

Although it is certain that the Irish, if left by themselves, could not have led, under their system of government—or rather

absence of government—a life of peace and quietness, yet no civil wars could have produced the ruin and national and moral deterioration which were the result of the first invasion and continued presence of the Danes.

Toward the end of the tenth century, it at last seemed that the long-afflicted nation had found a saviour in the person of the only Irish king who has acquired a position in European history. At this date the Danes of Limerick, largely reinforced by fresh arrivals, attempted the conquest of Munster. The event is thus described in the Irish Annals: "There came after that an immensely great fleet, with Imar, the grandson of Imar, the chief king of the foreigners, and with his three sons. They landed and encamped near the harbour of Limerick. Munster was plundered and ravaged on all sides by them, and they levied pledges and hostages from all the men of Munster. They brought them, under indescribable oppression, to the foreigner and the Dane. Moreover, he ordained kings and chiefs, stewards and bailiffs, in every territory, and after that in every chieftaincy, and he levied the royal rent. And such was the oppressiveness of the tribute, that there was a king from among the foreigners over every territory—a chief over every chieftaincy—an abbot over every church—a steward over every village—and a soldier in every house. So that none of the men of Erin had power to give even the milk of his cow, nor so much as the clutch of eggs of one hen, in succour to the aged or a friend, but was forced to preserve them for the foreigner; and, though there were but one milk-giving cow in the house, she durst not be milked, but kept for the foreigner; and, however long absent he might be, his share durst not be lessened. Although there was in the house but one cow, it must be killed for the meal of one night, if the means of supply could not be otherwise obtained; and the tribute of an ounce of silver was paid for every head, and he who had not the means to pay himself, went into slavery. No Irish chief was able to give them deliverance from the foreigner, because of the excellence of their armour, the greatness of their achievements, their strength and valour, and the excess of their thirst for the fruitful, grassy lands of Erin."\*

\* Wars of the Gaedhil and the Gaill, p. 49.

Among the tribes who suffered from the Limerick Danes was the Dal Cais Borumha, or the race of Cas Mac Tail, grandson of Lughaidh, called Borumha—some say, from the name of a village near Killaloe.\* The privileges and prerogatives of this favourite tribe are described as follows:—They were exempt from all taxes, hostages, rents, and fees to the King of Cashel, or any other chieftain, “so long as Erin was not theirs.” They were bound to defend the King of Cashel against aggression, and to support his rights against the northern half of Ireland—that is to say, against the chief kings of Tara, who were of the Hy-Niall race, and whose sovereignty over Munster was disputed by the descendants of Oilioll Olum. The Dal Cais occupied the van on entering an enemy’s country, and guarded the rear in retreat. They had an alternate right to Cashel—that is, the kings of Cashel were to be chosen in alternate succession from the descendants of Eoghan Mòr and Cormac Cas, of which latter race the Dal Cais of Thomond were the most celebrated.†

To understand the position of the Dal Cais, we must bear in mind that they were not of the royal race of Niall, and it was impossible that a chieftain of a subordinate line, however illustrious, could legally occupy the throne reserved for the sacred lineage. The Dal Cais were at this time under the leadership of two brothers—Mathgamhain (*Anglice*, Mahon) and Brian.

These two brothers, refusing to submit to the foreigner, carried off their people and their chattels over the Shannon westward, and for some time carried on a merciless guerilla warfare. At length, both parties being thoroughly tired of each other, a peace was made between Mathgamhain and the chieftains of the foreigners. But the younger and more determined brother, refusing to make peace, betook himself to the forests of North Munster. In the prolonged contest which ensued he and his followers suffered severely, and the foreigners cut off his people, so that he had no more than fifteen. Compassionating his brother’s misfortunes, Mathgamhain opened communications with him. In a conference between them, Brian fiercely told his more yielding brother that he should not speak of submission, “because it was hereditary for him to die, and

[\* Wars of the Gaedhil with the Gaill, Int., cvi.]

† Wars of the Gaedhil with the Gaill, p. 53.



hereditary for all the Dal Cais, for their fathers and grandfathers had died, and death was certain; but it was not hereditary to submit, for their fathers had not submitted to any one on earth. It was no honour to their courage to abandon, without battle or conflict, to dark foreigners and dark grim Gentiles, the inheritance their fathers and grandfathers had defended in battles against the chiefs of the Gaedhil." Thereupon the tribe of the Dal Cais were assembled before Mathgamhain, and he appealed to them whether they would have peace or war. With one voice, young and old, they answered that they preferred death in defending the freedom of their patrimony to submission to the tyranny of the pirates; "and this was the voice of hundreds as the voice of one." It was arranged that they should rally for battle on their original tribe land, "for it was better and more righteous to do battle for their inheritance than for land usurped by conquest and the sword."\*

In A.D. 968 a decisive battle was fought between the Danes of Limerick and the Dal Cais at Sulchoit,† near the town of Tipperary. The Danes were utterly routed, and the city of Limerick captured. "They followed them also into the fort, and slaughtered them in the streets and houses, and the fort was sacked by them after that. They carried off their jewels and their best property, their saddles, their gold, their silver, their beautifully-woven cloth of various colours, their satins, and silken cloth; they carried away their girls, their silk-clad women, their boys. The fort in the good town they reduced to a cloud of smoke. The whole of the captives were collected on the hills of Saingel. Every one that was fit for war was killed, and every one that was fit for a slave was enslaved."‡

Mathgamhain now established himself upon the throne of Munster. He had broken the power of the Danes in Limerick, and took hostages from the rival chieftains of his own race, and reigned without dispute for about six years. He was subsequently treacherously slain by a conspiracy of the tribal chiefs.

Brian succeeded to his brother, and reduced Munster to complete obedience. He took hostages not only from the chiefs of that district, but also of the churches, lest they should receive rebels or

\* Wars of the Gaedhil with the Gaill, p. 69. [† Now Sologhead.]

‡ Wars of the Gaedhil with the Gaill, p. 79.

thieves to sanctuary. Thus early in his career Brian exhibited his determination to maintain order and administer justice.

Ossory was next subdued, and at Magh Ailbhe he received the homage of the kings of Leinster. This was in A.D. 984, and subsequently Brian assumed to act as the Supreme King of Ireland. In A.D. 1000 the Leinster men revolted, and made an alliance with the Dublin Danes, who were naturally anxious to prevent the establishment of a vigorous national monarchy. On the advance of Brian, the Leinstermen sent their cattle and families into the territory of the Dublin Danes, and the allied forces advanced to meet the king. The celebrated battle, which finally established Brian upon the throne of Ireland, took place at Glen Mama, near Dunlavin, in the County Wicklow. The Danish forces were entirely defeated. The remnants of the beaten army fled to Hollywood, thence to the Horse-pass ford on the Liffey, above Poul-a-phouca, where they were again routed. Maelmordha, King of Leinster, was captured concealed in a yew tree near Hollywood, from which he was dragged by Murchadh, the son of Brian. Dublin is stated to have been captured and plundered, though perhaps we may doubt this statement of the Irish annalists. The foreigners were, however, for the time reduced to subjection. "Ill-luck was it for the foreigners when Brian was born, for it was by him they were destroyed and enslaved. There was not a winnowing sheet from Howth to Kerry that had not a foreigner in bondage, nor was there a mill without a foreign woman. No son of a soldier or officer of the Gaedhil deigned to put his hand to a flail or any other labour, nor did a woman deign to put her hands to the grinding mill, or to wash her clothes, but had a foreign man or woman to work for them."\*

Brian was now undisputed master of Ireland, king, not by hereditary right or popular election, but a king in a higher sense as possessing supreme power, which he wielded for the maintenance of justice and law. He may be called a usurper, but he was (like Cromwell) a usurper far superior to a mere king. Malachi of Meath, the titular king of the sacred race, submitted without a struggle, and assumed a position subordinate to the real ruler.

\* Wars of the Gaedhil with the Gaill, p. 117.

For several years Ireland was firmly governed by this self-appointed sovereign, and there was no question as to the excellence of his government. "By him were erected in Erinn noble churches and their sanctuaries. He sent professors and masters to teach wisdom and knowledge, and to buy books, beyond the sea and the great ocean, because the writings and books in every church and sanctuary had been destroyed by the plunderers; and Brian himself gave the price of learning and the price of books to every one separately who went on this service. Many churches were built and repaired by him, bridges and roads were made, the fortresses of Munster were strengthened.\* . . . . He continued in this way prosperous, peaceful, hospitable, just-judging, venerated, with law and rule among the clergy, with honour and renown among the laity; powerful, secure for fifteen years in the chief sovereignty of Erinn."

A truly national government of this description found its bitterest enemies among the provincial chiefs, who longed to restore anarchy, and were willing to league with the foreigner for that purpose. It required years of stern restraint to crush local tyrants into obedient nobles; and Brian was not granted a sufficient space of days, nor found a successor capable of fulfilling his self-imposed task. The final outburst, which ended in the death of Brian at the hour of victory, and threw Ireland back into hopeless confusion, arose, as might have been expected, from the wounded vanity of a provincial chief. Maelmordha, the defeated, of Glen Mama, was conducting to Brian's palace of Cenn Coradh three masts of pine. A dispute arose in ascending a boggy mountain, whereupon the chief himself put his hand to one of the masts. He had on him at the time a silken tunic which Brian had given him, and with the exertion one of the buttons of the tunic broke. When he arrived at Cenn Coradh, he sent the tunic to his sister Gormlaith, a step-daughter of Brian,† to have it repaired. Gormlaith cast the tunic into the fire, and reproached her brother, saying she deemed it foul scorn that vassalage should be suffered by him, whose fathers had never endured it, and that his degradation would be entailed upon

\* Wars of the Gaedhil with the Gaill, p. 139.

[† Maelmordha's sister referred to here was the divorced wife, not the step-daughter, of Brian. See next page.]



his children. Full of angry thoughts and discontent, Maelmordha stood by the next day at a game of chess played between Murchadh, who had dragged him from the yew trees at Glen Mama, and Conaing, a nephew of Brian. Maelmordha having advised a move by which Murchadh lost the game, the latter cried, "'Twas thou that gavest advice to the foreigners when they were defeated." Angry taunts were at once exchanged. "I will give them advice again, and they shall not be defeated." "Have a yew tree ready." Then Maelmordha turned, and without leave-taking fled from the king's presence. Brian sent after him a messenger of peace; but the angry prince turned, and struck him to the earth at the head of the bridge of Killaloe. "Some were anxious to pursue him then, and not to allow him to escape until he had made submission; but Brian said it should be at the threshold of his house he would demand justice from him, and that he would not prove treacherous to him in his own house."\*

Leinstér at once rose to arms, and the most zealous allies of the insurgents were the Danes of Dublin, ever anxious to promote disorder. Sigtrygg was then the Danish king of Dublin; his mother's name was Kormlada.† "She was the fairest of all women, and best gifted in everything that was not in her own power; but it was the talk of men that she did all things evil over which she had any power." Kormlada was the divorced wife, or the discarded mistress, of Brian; and "so grim was she against King Brian after their parting, that she would fain have him dead."‡ King Sigtrygg was himself married to a daughter of Brian.

The Dublin Danes, remembering the Battle of Glen Mama, distrusted their own strength, and desired to enlist in their cause the Norsemen of the Western Isles. The times were singularly propitious for such a project. The increasing power of the Norwegian king and the extension of Christianity had crippled the power of the western jarls. They feared and hated the extension of the sovereign power; they loathed Christianity, as a religion forced upon them by brute violence. The doctrines of the Gospel

\* Wars of the Gaedhil with the Gaill, pp. 143-147.

[† Kormlada is the Norse form of the Irish Gormlaith.]

‡ Burnt Njal, Vol. II., p. 323.

had been preached among the Norse as they never were else. Their watchword was, "Baptism or death;" and those who unwillingly had submitted to that rule were eager to relapse, on the first safe opportunity, into their former faith. The western jarls must have readily accepted an alliance which promised to them fresh conquests, and an opportunity of establishing themselves in security after the old ways. Chief of the Orkney jarls was Sigurd, a Christian by name, but who had only yielded to the preaching of King Olaf, Tryggvi's son, when that zealous missionary had him entirely in his power, and had threatened to hew off his son's head before his eyes over the gunwale. To the court of Sigurd came King Sigtrygg, seeking aid. The tale of how he fared is told in the *Burnt Njal*:—

"Then King Sigtrygg stirred in his business with Earl Sigurd, and bade him go to the war with him against King Brian.

"The Earl was long steadfast; but the end of it was that he let the king have his way, but said he must have his mother's hand for his help, and be king in Ireland if they slew Brian. But all his men besought Earl Sigurd not to go into the war, but it was no good.

"So they parted on the understanding that Earl Sigurd gave his word to go; but King Sigtrygg promised him his mother and the kingdom.

"It was so settled that Earl Sigurd was to come with all his host to Dublin by Palm Sunday.

"Then King Sigtrygg fared south to Ireland, and told his mother, Kormlada, that the Earl had undertaken to come, and also what he had pledged himself to grant him.

"She showed herself well pleased at that, but said they must gather greater force still.

"Sigtrygg asked whence this was to be looked for.

"She said there were two vikings lying off the west of Man; and that they had thirty ships, and, she went on, they are men of such hardihood that nothing can withstand them. The one's name is Ospak, and the other's Brodir. Thou shalt fare to find them, and spare nothing to get them into thy quarrel, whatever pine they ask.

"Now, King Sigtrygg fares and sees the vikings, and found

them lying outside off Man; King Sigtrygg brings forward his errand at once, but Brodir shrank from helping him until he, King Sigtrygg, promised him the kingdom and his mother, and they were to keep this such a secret that Earl Sigurd should know nothing about it; Brodir, too, was to come to Dublin on Palm Sunday.

“So King Sigtrygg fared home to his mother, and told her how things stood.

“After that those brothers, Ospak and Brodir, talked together, and then Brodir told Ospak all that he and Sigtrygg had spoken of, and bade him fare to battle with him against King Brian, and said he set much store on his going.

“But Ospak said he would not fight against so good a king.

“Then they were both wroth, and sundered their band at once. Ospak had ten ships, and Brodir twenty.

“Ospak was a heathen, and the wisest of all men. He laid his ships inside in a sound, but Brodir lay outside him.

“Brodir had been a Christian man, and a mass-deacon by consecration, but he had thrown off his faith, and become God's dastard, and now worshipped heathen fiends, and he was, of all men, most skilled in sorcery. He had that coat of mail on which no steel would bite. He was both tall and strong, and had such long locks that he tucked them under his belt. His hair was black.

“It so happened one night that a great din passed over Brodir and his men; so that they all woke, and sprang up, and put on their clothes.

“Along with that came a shower of boiling blood.

“For two nights followed other portents.

“On the fourth night they went to sleep first of all, but when Brodir woke up, he drew his breath painfully, and bade them put off the boat, ‘for,’ he said, ‘I will go to see Ospak.’

“Then he got into the boat, and some men with him, but when he found Ospak, he told him of the wonders which had befallen them, and bade him say what he thought they boded.

“Ospak would not tell him, before he pledged him peace, and Brodir promised him peace; but Ospak still shrank from telling him till night fell.

“Then Ospak spoke and said—‘When blood rained on you, therefore, shall you shed many men's blood, both of your own and



others. But when ye heard a great din, then ye must have been shown the crack of doom, and ye shall all die speedily. But when weapons fought against you, that must forebode a battle; but when ravens pressed you, that marks the devils which ye put faith in, and who will drag you all down to the pains of hell.'

"Then Brodir was so wroth that he could answer never a word, but he went at once to his men . . .

"Ospak saw all their plan, and then he vowed to take the true faith, and to go to King Brian, and follow him till his death day.

. . . .

"Then Ospak told King Brian all that he had learned, and took baptism, and gave himself over into the king's hand."\*

At the appointed time Earl Sigurd arrived in Dublin, proclaiming his heathendom, by carrying in front of his army the famous Raven banner, wrought by magic spells, which bore victory to the host before which it fluttered, but death to the man who bore it. Hither, too, came Brodir, the apostate deacon, and Maelmordha, with the men of Leinster, and the Hy-Kinshela of the county of Wexford.

Meanwhile Brian approached Dublin with the troops of Munster, Connaught, and Meath; having burned Kilmainham, he despatched his son, Donough, to plunder Leinster, and himself encamped on the Green of Dublin.

"Brodir tried, by sorcery, how the fight would go; but the answer ran thus, that if the fight were on Good Friday, King Brian would fall, but win the day; but if they fought before, they would all fall who were against him."

On the eve of the battle various portents appeared, which show how fully alive both parties were to the great issue between them. Odin appeared in the pagan army. During the night Brian was warned by the guardian spirit of his race. At length, on the morning of Good Friday, the allied army issued out from Dublin.

To understand what occurred, we must remember how much of Dublin has been built over lands reclaimed from the sea in the last century. The city covered only the region on which Christ Church stands. The river was crossed by a bridge at the foot of the present

\* Burnt Njal, Vol. II., pp. 227-232.

Bridge-street, beyond which there was a fortified suburb, whence ran the great northern road, now known as Stoneybatter. The sea-shore ran from Essex-bridge, through Abbey-street, Sackville-street, and below the ridge upon which Summer-hill is built, down to the present Ballybough-bridge, where was then a stake-weir. It was perfectly possible, from the fortifications of the old city, to see the whole shore of the north side of the bay, which was then fringed with scrub-wood.

The Danes and Leinster men marching out from Dublin, instead of advancing northward, and securing their retreat to Dublin, turned due east towards Clontarf, losing all connexion with the city, and trusting for retreat to their galleys, which were brought up to the shore.

The Irish army must have been drawn up facing the south or south-west. In its array, also, Irish and Danes were mingled. The Viking Ospak was opposed to King Sigtrygg of Dublin, and the Irish of Leinster were opposed to the Munster Irish of Brian.\* For the Irish, their existence as a nation was staked upon victory and the life of Brian. By the Norsemen the combat was regarded as the last struggle of heathendom.

The annalists inform us—and their statement was confirmed by incidental evidence—that the struggle was protracted from sunrise to sunset, when, at length, the allied Danes and Leinster men gave way.

Dark forebodings that they were fighting on a losing side seem to have filled the breasts of the bravest Norse. Two successive bearers of the Raven banner were slain. “Then Earl Sigurd called on Thorstein, the son of Hall of the Side, to bear the banner, and Thorstein was just about to lift the banner, but then Asmund the White said:—

“ ‘Don’t bear the banner! for all they who bear it get their death.’

“ ‘Hrafn the Red!’ called out Earl Sigurd, ‘bear thou the banner.’

“ ‘Bear thine own devil thyself,’ answered Hrafn.

[\* With Brian were also a contingent from Alban under Domnall, Mormaer of Mar, and with the Norsemen, “Corr-Britons” and “Britons of Cille-Muni” (St. David’s).—Wars of the Gaedhil with the Gaill, p. 152.]

“ Then the earl said :

“ ‘ Tis fittest that the beggar should bear the bag,’ and with that he took the banner from the staff, and put it under his cloak.”\*

Sigurd accepted his fate as the last hero of a beaten creed.

The routed army was driven back, not upon Dublin, but upon the sea. A fierce struggle took place at the ford of the Tolka, the only means left of reaching Dublin, which the remnants of the Danes, flying towards the city, held against their pursuers.

The Irish legends tell us that all day long Sigtrygg viewed the battle from the battlements upon which, in the next century, the last Danish king was beheaded in view of the Scandinavian fleet. By him sat his wife, the daughter of Brian. As they saw on the northern shore of the bay the fury of the first assault of Sigurd’s Orkney men, “ Well do the foreigners reap the field,” said the king to his wife ; “ many a sheaf do they cast from them.” “ The result will be seen,” said she, “ at the end of the day.” As the flight of the Danes to their ships was seen by Sigtrygg and his wife, “ It seems to me,” said Brian’s daughter, “ that the foreigners have gained their patrimony.” “ What meanest thou, woman ?” said the king. “ Are they not rushing into the sea,” said she, “ which is their natural inheritance ? I wonder are they in heat, like cattle ? If so, they tarry not to be milked.” In his rage, the king struck her in the face.†

Meanwhile what had been the fate of Brian ? Too old to join personally in the combat, he remained in the rear of the host. A cushion was spread under him, and he opened his psalter, and as a Christian king he prayed for victory. As the day wore on, he asked for tidings—what was the condition of Murchadh’s standard ? He was told it was standing, and many banners of the Dal Cais around it. Again he asked the same question, and was told that the banner of his tribe was flying at the west of the array. Towards evening he again repeated the question ; he was told that of the armies on either side the greater part was slain, the foreigners were defeated, but Murchadh’s standard had fallen. On the death of his eldest and best beloved son, the old man lost all heart. He would not mount his horse and retire to the camp, and declared that in a vision the spirit of his house had foretold to him he

\* Burnt Njal, Vol. II., p. 334.

† Wars of the Gaedhil with the Gaill, p. 193.



should be slain. While he lingered, a party of Danes approached them; it was the Viking Brodir, who, disdaining flight, had fought his way through the opposing enemy, and with two attendants alone sought the woods. "There are people coming towards us here," said his attendant to Brian. "Woe is me! What manner of people are they?" said Brian. "Blue, stark-naked people," said the attendant. "Alas!" said Brian, "they are foreigners of the army; it is not to do good to us they come." As Brodir, in his haste, passed by without observing the king, one of his attendants plucked him back, crying, "The king! The king! This is the king." "No," cried Brodir, "a priest! a priest!" "No," said the soldier, "it is the great king Brian." Brodir turned back, and the last heathen viking and the only king of Ireland fell by each other's hands.\*

Both parties might now count their losses. The bravest and best of the champions on either side had fallen. The Irish army, mangled and weakened, held the field of battle. The remnant of the Danes and Leinstermen still occupied Dublin, and the Danish fleet of Sigurd still rode at anchor in the bay. Both parties were practically defeated—both parties lost the great stake for which they had played. Ireland was not to be handed over to heathen invaders, nor was it longer to enjoy the blessing of a just and powerful government. This day of bloodshed and slaughter, of disaster and double failure, was long remembered in the annals of the North. For the last time by mortal eyes the weird sisters were seen to weave their fatal woof which they tore asunder, as if to typify that ruin and destruction fell that day on all alike. In their magic song they predicted that a new nation was to conquer and rule Erin:—

"Now new-coming nations  
That island shall rule,  
Who on outlying headlands  
Abode ere the fight.  
I say that king mighty  
To death now is done,  
Now low before spearpoint  
The earl bows his head."

---

\* Wars of the Gaedhil with the Gaill, p. 197. [There is no Irish authority for the horrible death described in *Burnt Njal*, Vol. II., p. 337, as inflicted on the captured Brodir.]

In Iceland, at Swinefell, blood appeared upon the priest's stole on that fatal Friday, and at Thvattwater the priest at Mass that day saw such awful sights that it was long ere he could sing the prayers.\*

After the battle, Donnchadh returned with the poor spoil of five and twenty oxen, which were slaughtered by the remnant of the Irish on the Green of Dublin, upon which angry challenges occurred between the Danish king of Dublin and Donnchadh, Brian's heir, but neither party were inclined to renew the battle. That night the Irish camp was all confusion. The reluctant vassals of Brian hailed his death as the restoration of freedom, or at least scorned to submit to his successor. They said among themselves—"The attention of Brian's son will be on you, to seek for lordship and power such as his father had, and should he reach his home he will be more difficult to meet than now."† The Munster men, remembering that the right of the Dal Cais was to an alternate sovereignty only at Cashel, insisted that Brian's son should abdicate, and sink to the position of a subject.

Donnchadh replied to this, that it was not voluntarily they had become subject to his father or to his father's brother, for the whole of Munster had been wrested by Brian from the foreigners when the natives were unable to contest it with them; that if he had equal numbers on his side, they never should have left him till they had submitted.

The Munster men rose in arms against the son of Brian. Thus, within three days after the death of the king, we find the only surviving son of Brian assailed by the remnant of the Irish army. The dissensions of his assailants, who quarrelled among themselves, enabled the remnants of the Dal Cais to escape; but so enfeebled were they, and so utterly, with the death of Brian, had they lost their supremacy, that they barely escaped at Athy from the hands of the men of Ossory, whose chief had been formerly taken prisoner by Brian, and forced to give hostages.

Such was the end of the Battle of Clontarf, in which, if the foreigners were defeated, a far greater disaster fell upon the Irish people, and the real victory was won by anarchy over order. The

\* Burnt Njal, Vol. II., pp. 339-342.

† Wars of the Gaedhil with the Gaill, p. 213.

dethroned Malachi resumed his kingdom as if his administration had never been interrupted. Brian was treated as a usurper; and in the same century Tighernach, recording the death of Malachi and the length of his reign, ignored the twelve years of Brian's usurpation, including them in the total which he assigned to Malachi—as in English history we count the years of Cromwell's government as portion of the reign of Charles II.

The Norse were not driven out of any of their sea-board towns; retaining their former position, they continued their usual conflicts with the native tribes. The Normans, upon their arrival in Ireland, found the sea-board towns in the hands of independent Danish communities. After a short but fierce resistance, the Danes amalgamated with what must have seemed to them a kindred race, and we find them at a very early period actively assisting the Anglo-Norman invaders. Dane and Norman, in the eyes of the natives, were alike styled Gaill, or foreigners; but for centuries the Scandinavian descent of the citizens of many Irish towns was an acknowledged fact, and their position and privileges were recognised by the English Government.

But upon the Celtic nation fell ruin and disorder. There was none powerful or wise enough to carry out the great views of Brian. The old system, ill-constructed as it was, had lost hold of the national mind. The constitutional principle under which the Ard-Righ (or supreme king) had been exclusively elected from the descendants of Niall of the Hostages was no longer acquiesced in. The princes of Connaught and Leinster asserted claims to the throne, maintaining that they had as good a title as Brian to become Ard-Righ in their turn. So, from the death of Malachi to the arrival of Strongbow, Ireland was a chaos, in which the chiefs of the great separate tribes struggled to secure temporary supremacy. It is not so strange that the English invasion succeeded in A.D. 1170, as that so tempting a field had not been previously occupied by some other adventurers.



## CHAPTER VI.

---

### THE INVASION OF IRELAND BY THE NORMANS.

IN the twelfth century it must have appeared certain that the powerful and ambitious Norman rulers of England would extend their power over all the British Islands. It might have been supposed that such an extension of their power would have proved advantageous to nations who, although differing in language and origin, had identical interests, material and political. But that which seemed certain and imminent required more than four centuries for its accomplishment; that which might have seemed advantageous cost both nations unbounded treasure and outpourings of blood, and brought upon Ireland the contemptuous pity, and upon England the moral reprobation, of Europe.

I stated on the last occasion that it is not so surprising that Ireland was conquered, or rather assailed, in the twelfth century, as that such event had not occurred seventy years before. The Red King from the coast of Pembrokeshire had gazed upon the Western Island as a destined conquest. A petty prince of the Isle of Man had conceived and essayed this enterprise. Ireland seemed to invite a conqueror.

The Irish nation was in the condition of political and social dissolution. The royal house of Niall no longer ruled in undisputed sovereignty. The Hill of Tara had long been crowned but with ruins; thither no supreme elected chief summoned his kindred rulers of provinces, and subordinate chiefs of less distinguished but as ancient lineage, who, thus reminded of their common origin, returned home to maintain order and right each in his native tribe. This government, perhaps mythical and ideal, had passed away for

ever. It had been ruined and trembling to its fall, when Brian levelled it to the earth for ever. He strove to found a well-ordered kingdom by force, enlisted in the cause of order—the rule of the sword, sternly wielded in the name of justice and peace; but he, too, had perished, and with him his system. No successor to his noble ambition arose strong enough to grasp his fallen sceptre. Now reckless chiefs fiercely struggled for illusory supremacy. How few without crime reached the throne! How few died a bloodless death! And meanwhile, each local chieftain in his narrow sphere did what seemed right to him in his own eyes; if powerful, oppressing his neighbours; if weak, oppressed by them. The monastic establishments, the only refuges for religion and civilisation, had been annihilated during the Danish invasions.

The state of the nation called for a radical change. Political disorganisation cannot be the normal condition of any people. If so, the world would relapse into worse than ancient barbarism. Political disorganisation is the certain precursor of political and social revolution—of one of those crises in history which resemble the cataclysms conceived by former geologists as terminating an era, and introducing a new creation. A disorganised nation is a mournful spectacle. To us at present there is no more melancholy study than the people of Mexico; but still more melancholy to imagine a people so brilliant and gifted as the Celts, abandoned without guidance, and blindly stumbling they knew not whither.

Terrible seems the crisis when it arrives. It is introduced and accomplished amid increased personal suffering. Those whom we most respect as individuals, all that is most to be sympathised with, are enlisted in the party who strive to support the impossible. But after the heat and confusion of the combat have passed, and we look back upon it as an historic past, we generally see that the nation's regeneration has been cheaply purchased by the sufferings of individuals. The destruction of the Roman Empire is the most terrible event in history. Unspeakable were the miseries which accompanied its fall. But when we behold the glorious edifice of the middle ages arising amidst its ruins, or when we look round upon Christian civilised Europe, can we regret for a moment the fall of the corrupted pagan world? When we behold civilised and well-ordered Germany, our satisfaction is not diminished by the

recollections of the Saxon war of Charlemagne, or the merciless conquests of the Teutonic knights. Though we read with horror the history of the Reign of Terror, do any French, except the fashionable coteries of the Faubourg St. Germain—does any educated man desire that the verdict of the Revolution were reversed, and that a degenerated Bourbon still ruled over France ?

The advantage, however, of a revolution is in the proportion of its intensity and completeness. It must utterly annihilate the past and its traditions, that a clear stage may be left for the new construction. What is to be done should be done quickly, as Napoleon wrote to Cialdini, “*Frappez vite et frappez fort.*” For, of all political disasters, the worst is that a nation socially disorganised should suffer from an unsuccessful revolution or an incomplete conquest. The latter state of that nation is worse than the first. Political disorder is exasperated by class and personal animosities, and civil war inflamed by national hatred. In the fourteenth century, in France, Marcel, with ideas far before his time, attempted to reorganise his country. When he perished, he left the condition of France worse than before. Thus in Ireland an incomplete conquest and ill-conducted colonisation gave over the island to greater confusion, and that which in ordinary cases might have been a cure proved in this an aggravation of the disease.

In considering the subsequent history of Ireland, we should avoid entertaining the embittered feelings of party. We must regard and study the past with calmness and patience, knowing that whatsoever has been done was so done under the direction of an all-wise Providence ; and that we may feel sure that a future generation, who will look back upon our time as an historic past, will be able in this instance, as in all others, to say, “*God is justified in all His works.*”

The subject of this Chapter is what is called the “*Conquest of Ireland by England*”—an expression in every way incorrect. There was an invasion, feebly and ill-conducted, which ended in a conquest at the commencement of the reign of James I. Further, there was not existing in the twelfth century any kingdom corresponding to what we now call “*England.*” Henry II. was then, indeed, the King of England ; but he was also Duke of Normandy, Count of Anjou, and ruler of many fair lands in France. He had



his palace in England, but sojourned most of his time on the Continent. He had no English ideas or sympathies; he did not speak the English language; if his mother was a daughter of the Norman ruler of England, he drew half his blood, and more than half his character, from the princes of the robber house of Anjou. Rightly he rests in the Abbey of Fontevrault, near the city of Angers; and lately, when uncritical English patriotism desired to remove his tomb to Westminster, the local feeling of Angers protested against the desecration, truly saying, "Was he not an Angevin?" Various were the nations over whom he ruled, without any national or political unity; but if the subject races and townspeople differed in language, customs, and ideas, over them all extended a ruling class, organised according to the feudal system, inspired with similar ideas, speaking the same language, and for the most part sprung from the Norman race—that race which then, as adventurers and rulers, was scattered over every land, from the Frith of Clyde to the Strait of Messina, from the banks of the Seine to those of the Euphrates.

Who were those Normans, and what were the ideas and laws they were destined to introduce into Ireland? As we all know, they were but a few generations removed from the genuine Norse followers of the famous Rolf; yet in this short time they had been much altered by changed habits, infusion of foreign blood, and subjection to a new form of government. By intermarriage with French they had lost the tinge of northern melancholy, the deep sympathy with nature, and that love of their lonely homes which their fathers had entertained. In place thereof they had acquired a light and superficial gaiety, a love of pomp and pleasure, and a true sympathy for art; they were no longer worshippers of Odin, but among the most zealous patrons of the churches they had wasted. Their Christianity, it must be admitted, was but superficial, and seldom influenced their words and actions, until a tardy repentance was manifested in the endowment of a church or retirement to a cloister. No longer did they rove the seas as born sailors, ready to sail before any wind or land on any shore; they had become a nation of heavy-armed horsemen, dwelling apart in their several castles, and ruling over a conquered and inferior race. Their fathers had scorned the idea of a sovereign lord, and in open

assembly had debated public affairs, or in bands of free companions had started upon adventures. The descendants of the Norsemen had grown into an aristocracy, overbearing to inferiors, but in turn repressed by the able and vigorous government of the descendants of Rolf.

We may realise the great external change thus wrought among the Normans, by picturing to ourselves the different scenes which the two great battles fought in England in the autumn of 1066 respectively presented. At Stamford Bridge, Harold Hardrada, the last great Norse adventurer, led for the last time a Norse army to battle on the soil of England. Side by side on foot, in one dense array, they gathered for the fatal struggles, shoulder to shoulder, as brothers and equals, fighting with sword and battle-axe; and when the masses of the Saxons gathered round, and defeat and destruction were imminent, their great leader rode along their line upon his black war-horse, and, bursting into wild poetic frenzy, poured forth his exulting, though despairing, death song, the last and brightest gem of northern poetry. A few short days after Harold saw the Normans advancing from their wooden castles on the shore, in dense bodies of mail-clad horsemen, preceded by clouds of archers of inferior rank, and supported by mercenaries from every land in Northern France. The organised array moved like a machine, under the guidance of their experienced leader; the foremost ranks were marshalled by the warlike Bishop of Bayeux; and in front of all rode the Jongleur Taillefer, singing in Norman-French the renown and death of Roland.

But one quality the Normans inherited from their ancestors unimpaired—their boundless self-confidence and love of adventure. They had begun to extend beyond the limits of Normandy, when the events of the eleventh century precipitated them upon Europe. In 1066 William the Bastard conquered England; and those who followed him in that adventure, as squires and grooms, became belted knights and estated barons. About the same time the news must have reached Normandy that a wandering band of Norman pilgrims had, by sudden and miraculous deeds, become rulers of the southern half of Italy. Almost immediately after followed the first Crusade, in which the Norman leaders took the most active part. It was not they who toiled on to the walls of Jerusalem,

and freed the Holy Sepulchre. They left that task to less worldly enthusiasts, whilst they themselves conquered and possessed fair cities in Syria, even to the banks of the Euphrates.

It is not wonderful if, after such events, there arose a spirit of adventure such as possessed Europe in the sixteenth century; that every landless man, or who had lost his land, was ready to start upon any expedition, picturing to himself wealth to be gained and kingdoms to be won. From their original seat the Normans had wandered northwards to the Scottish hills, southwards to the shore of Sicily, eastwards even beyond the Holy City. Were not they to spread westward also? They had crossed the British Channel and overborne a powerful nation. Was the narrow strip of water between Ireland and Wales to check their progress? Were they to halt upon the western shores of England, when beyond the narrow sea the fair western island seemed to offer itself an easy prey? At last the wave of Norman aggression broke upon our shore, and the first straggling adventurers were merely the foam and scum cast forward by the advancing billow.

We must here pause. The history of Ireland now assumes a new aspect—it is no longer that of an isolated people, living apart from Europe, with peculiar ideas and antiquated social state. It is now for the first time involved in the web of European history, political and moral. Henceforward no great events occur on the Continent without ultimately affecting Ireland—no new ideas, political or religious, arise which are not in some form applied to the government of Ireland. The feudal system and Continental ideas were suddenly and violently transplanted into this country. The Scottish and French wars of the Edwards, and subsequently the Wars of the Roses, weakened and almost annihilated the Norman race in Ireland. It is impossible to understand Elizabeth's policy in Ireland if we do not bear in mind that it was part of the great contest in which she struggled for life against Philip of Spain. At the Boyne little did William regard the question of this country's future. He repelled the attack which, through Ireland, Louis XIV. aimed at England, while the two Irish parties were each but pawns in the great European game.

European ideas have also constantly reacted upon Ireland, and affected its government. Feudalism was introduced almost directly



from the Continent into this island. The great German Reformation, which Dean Milman truly styles "the Teutonic development of Christianity"—an event wholly repugnant to the Celtic mind—has permanently affected the condition of the country. The celebrated penal laws are the reflection of the equally detestable legislation of the Bourbons. The strange policy of England during the last century was a logical adoption of the commercial theory. I therefore protest against the method adopted by Irish historians of shutting themselves out from all the events which occur beyond a narrow local horizon. They endeavour to learn the history of this country by devoting their attention to it alone, and ignoring the rest of the world. Suppose such a course of study applied to any other subject. If a naturalist, who undertook to write a monograph upon any special species, entered upon the task ignorant of the nature of the place where the animal was produced, and how it had been nourished—ignorant of all other similar and dissimilar species, what would be the value of his work? He would mistake the object of its peculiar organs; would expatiate at length upon organs common to it with others, and would fail to observe its peculiar deficiencies. Yet this is the spirit in which Irish history is usually studied and written. But as anatomy has only risen into a science when studied comparatively, so only can the history of a country be clearly understood by ceaselessly comparing its laws, political institutions, and ideas with those of other nations. This appears to me especially applicable to Irish history, which is the record of the prolonged struggle between two distinct nations subsisting within the narrow limits of this island, but, like oil and water in one vessel, refusing to amalgamate—the one nationality clinging to its ancient, almost traditional, policy, the other constantly imbibing the new ideas which from time to time became accepted in England.

The first effect of the arrival of the Normans was the introduction into Ireland of the feudal system. What were the peculiar points and ideas in that system which conflicted with the ideas prevailing among the Celts? It is necessary to draw your attention to the pervading ideas of this form of government. It was the habit of those writers of the last century who involved in indiscriminate condemnation the period they ignorantly termed "the dark

ages," to treat the feudal system as devised by a barbarous aristocracy for the purpose of riveting the chains of degraded serfs. In their minds it is associated with robber barons and a pillaged and outraged people. The writers upon Irish history, particularly those professing national sentiments, affect these opinions, which are now laughed at by the educated foreigner, and assert that the vile laws of feudalism, displacing those of the tribal system, have entailed ruin upon the country. But what was the feudal system? It was that great organisation under which France extricated herself from the disorders which followed the fall of the Carolingians, and gradually attained the civilisation of the thirteenth century. It is the system by which the reign of definite law was again established, and under which the great abbeys and universities were founded, the scholastic philosophy flourished, and the works of art were produced which we now strive to imitate, with the consciousness that they are as inimitable as the Parthenon itself.

The feudal system was founded upon two distinct ideas—the one a principle of Roman law, the other a custom of the Teutonic tribes. The Roman emperors, as the representatives of the people, concentrated in themselves the powers and property of the nation. They could truly use the boastful expression of Louis XIV., "*L'état, c'est moi.*" They were the sole fountains of law, justice, and honour. They claimed to possess all property which had not been appropriated to private individuals. A theory so advantageous to the ruler could not fail to be adopted by the Teutonic chiefs, who succeeded to their inheritance. Upon the conquest of Gaul, the Frank kings appointed "counts" to govern the several districts of the country. These counts originally were supposed to fulfil the sovereign's duties in their respective localities, and collected the revenues and occupied the lands of the State, or such confiscated lands as were allotted for their maintenance; but the power they exercised and the property they enjoyed were held by them by a strictly official title, and were not transmissible to their descendants. From among whom were these counts selected? Every Teutonic chief was surrounded by a band of personal followers, styled by French historians their "*leudes.*" These "*leudes*" entered into a compact with the chief to serve him, to fight for him, to remain faithful to the death. The chief undertook to protect

them, to maintain them, and to act as their patron. This was not a servile connexion, but an engagement of free men to follow their chosen chief, and it might be dissolved and abandoned by either party. The chief was their lord, and they became his men. The same relation existed among the Saxons in England, where we find frequent allusions to the "house carls," ever true to death, of whose organisation we have a detailed account in Kemble's "History of the Anglo-Saxons." A local governor, appointed from among this class, was bound to the king in the double character of a public functionary and a personal retainer. When the feudal vassals in France succeeded in making the estates they enjoyed heritable by their descendants, they transmuted into "property" what had previously been merely an official position, with its attendant emoluments. But the property they so acquired naturally retained many characteristics of its former nature. The owner of a fief did not hold it as "his own," with which he might do as he listed. He had distinct duties, which he was bound to perform. He owed military service to his lord, and justice to his own vassals and subjects. If he failed in this, he entailed upon himself the loss of his estate, which, wholly or partially, fell back into the hands of the king, by whom it had been originally granted. If he were guilty of breach of fealty, or crime against the State, he incurred forfeiture. If he died without heirs, his estate "escheated." If the owner of the fief were a woman, the lord had the right to provide a husband fit to fulfil the duties incident to her property; if a minor, the lord assumed the fulfilment of his duties during his minority, and saw to his fit education. These were the right of marriage and wardship. As the king enfeoffed his vassals, so they in turn made similar grants to subordinate tenants, who held of them upon the same conditions. Also the owners of private or "allodial" property, finding no protection in a turbulent age save in the patronage of some powerful chief, voluntarily abandoned their independent position, and became the "men" of the nearest lord, converting their absolute property into "fiefs."

The principles and growth of the feudal system are brilliantly summed up by a French writer:—"Presque aussitôt après la conquête, il arriva que, voulant récompenser tels ou tels de leurs compagnons, des chefs opulents leur donnèrent, au lieu d'argent, d'armes,



ou de chevaux, des portions de terre, auxquelles, par l'effet de ce don, se lia une idée de dépendance. Les domaines concédés de la sorte ne le furent pas sans réserve; ils restèrent chargés d'une redevance; ils ne conférèrent, d'abord, qu'une possession dont sa vie déterminait la durée, et en vertu de laquelle il fut tenu, sous le nom de vassal, à suivre la bannière du donateur, son suzerain. Ce sont les domaines de cette dernière espèce qui, du V<sup>e</sup> au X<sup>e</sup> siècle, portent dans les documents anciens le nom de bénéfices, du mot '*beneficium*,' bienfait, et qui à dater du X<sup>e</sup> siècle prennent le nom de 'fief,' des deux mots germaniques, '*fee*,' salaire, et '*old*,' propriété. La nécessité pour les chefs de s'assurer par des récompenses la fidélité de leurs compagnons; la difficulté de le faire autrement que par des concessions d'immeubles, à une époque où l'argent était rare; la tendance des propriétaires faibles et menacés à rechercher la protection des propriétaires plus puissants, en les prenant pour suzerains, tout cela contribua si bien à étendre la propriété bénéficiale, qu'insensiblement les aleux disparurent; la maxime, *pas de terre sans seigneur*, prévalut, et à la fin du X<sup>e</sup> siècle l'enchaînement hiérarchique de bénéfices ou fiefs, déclarés déjà héréditaires par Charles le Chauve, constitua d'une manière définitive la régime féodale."

Thus the feudal system gradually extended over France, not suddenly or by any ordinance of the sovereign, but gradually, and because it afforded to the mass of the people a comparatively orderly government, in which each found his definite legal position. Even at the end of the seventeenth century there were districts in France to which feudalism had not penetrated. Thus there was established a vast hierarchy, extending from the sovereign at its summit to the lowest vassal at its base, each occupying a definite position, having rights and duties in relation to those placed both above and below him. We even find that, after no long interval, the duties and position of the serfs became fixed and defined. Although still serfs, they ceased to be slaves subjected to capricious tyranny. This system, arising in France (then, as now, the originator of new social ideas), was adopted by the Normans, and carried out by them to the highest point of logical development. They carried it with them in all their wanderings. Upon it alike were organised their settlements in Ireland and their possessions in Syria. By this was the whole legislation of England penetrated, so that English lawyers

believed it to be the highest and most perfect system—in fact, could conceive no other, and, with sublime English complacency, assumed every other code not to be “law,” but a confused aggregate of dangerous customs.

No two forms of social life could be more contradictory than the tribal and the feudal systems; the former was a development of the family, the latter a complicated political and military organisation. The former was based upon blood-relationship; in it the land belonged to the tribe as a whole, the chief was the elected minister of the tribe, the property he possessed was enjoyed merely during the tenure of his office, from which he could be expelled for conspicuous failure in the performance of his duties. Each member of the tribe shared, as of right, in the tribal property, was defended and avenged by the tribe, was judged by the tribal Brehon, and formed a member of a community which, however small, was in theory independent.

In the feudal system the land belonged in absolute ownership to the Crown, which permitted certain individuals, by virtue of a defined contract, to possess in it a limited ownership. The lord ruled his vassals in virtue of his ownership of the land, not as being of their kin or by their election. The vassals had no connexion among themselves, save the accident of standing in the same relation to the one lord. They held their lands, not as their own, but upon the performance of specified duties. They were subject to the jurisdiction and control of the heirs of their lord, and the rights over them passed like other property.

It cannot be denied that both of these systems were admirably adapted to meet the difficulties of that social state in which they respectively originated; but none of the advantages of either were possessed by the other, and the ideas they fostered were altogether different.

Among what manner of men, and into what country, were the Normans about to introduce this feudal system? In the second and third Chapters a slight sketch has been given of the character and polity of the Irish Celts, and in the first, of the physical conformation of Ireland.\*

[\* In the Lecture, as delivered and originally published, there was here contained a short sketch of the physical geography of Ireland, which is now omitted, as a fuller account is given in Chapter I., *supra*.]

In Chapter I. it has been shown that the coast from Dublin to Dundalk on the east, and Galway on the west, are the only two available points by which invaders can assail the central districts of Ireland; but that, when advancing from either of these sea-boards into the interior, they must leave behind them inaccessible mountain tracts, from which their rear may be threatened; and their advance would be checked by the course of the Shannon, the lake districts, and the tracts of bog. There is no one portion of Ireland, except the inconsiderable districts lying outside the mountain chains, which could be completely conquered and securely occupied. At the same time, an army occupying either Dublin or Galway could prevent the natives permanently making head in any portion of the central plain. Its natural conformation, prior to the modern inventions facilitating the movement of troops, rendered Ireland difficult to defend, and impossible to occupy.

The political condition of the people, which we before noticed, checked the accumulation of capital, and prevented the population being gathered into cities. These results of the political condition were aggravated by the climate, unfavourable to cereal agriculture, and pre-eminently adapted for pasturage. The moistness of the climate, in the absence of good roads, rendered it most difficult to move bodies of heavily equipped men across the country. It must also be remembered, that in the twelfth century large districts, now absolutely treeless, were dense forests, and that there is reason to believe the annual rainfall was then much greater than at present.

We now proceed to the important consideration why the Normans failed (as we shall show hereafter they did) to completely conquer and occupy the country.

If we confined our attention to the events which took place in Ireland alone, we should experience some difficulty in discovering the causes of this failure. The first step towards ascertaining the causes of this want of success in Ireland should be to inquire why they met with such remarkable success elsewhere. We can thus ascertain what were the peculiar difficulties which they encountered in Ireland.

Four great conquests or colonisations (among others) were accomplished by feudal invaders in mediæval Europe, all of which, though originally attended by great suffering, were generally advan-



tageous to both, and always to one or other of the conquerors or conquered. These four instances are as follows :—First, the organised conquest of England by William of Normandy ; secondly, the occupation of Southern Scotland by Normans and Saxons ; thirdly, the conquest of Naples by the Normans ; and, fourthly, the conquest of Prussia by the Teutonic knights.

England, when assailed by William of Normandy, might have been expected to offer a fierce and prolonged resistance. The government was centralised in the hands of a man of high ability, and the landed estates of the country were held either by members of the royal family or by great noblemen, whose position and existence were at stake in the national struggle. Yet these were the very causes which enabled William to achieve a rapid and complete success. With the natural desire of checking the invasion at its outset, Harold risked and lost his throne and life in the Battle of Senlac. Upon the death of the king, the previous concentration of the government, and even the great abilities of the fallen prince, whom there could be found none to replace, paralysed the national resistance ; and William ascended, almost unopposed, the vacant throne. The great landowners and official governors of shires were expelled, and Normans substituted in their place ; whereupon, without any immediate social change or shock to the national feelings, matters went on much as they had done before. The causes of William's success may be thus summed up :—A concentrated national sovereignty, large private landed estates, and the government of extensive districts by high officials, who possessed no special local ties.

Almost contemporaneously with the conquest of England, southern Scotland was flooded by Saxon exiles and Norman adventurers. Within a short period the government of Scotland, which had been Celtic, was transformed into Norman, and the original inhabitants driven back into the Northern Highlands or the wilds of Galloway. The eastern half of the Lowlands had formed portion of the Northumbrian-Saxon kingdom, but the western half was still inhabited by Celts, and the government was thoroughly Celtic. The Norman and Saxon strangers gradually occupied all the Lowlands up to the foot of the mountains, introduced the feudal system, and modelled the government after the pattern of England.

After a short struggle, the native Celts were penned up in the mountains, and never after materially affected the history of the country. Why did not the Norman and Saxon adventurers meet the same difficulties in Scotland as their compatriots in Ireland? Because they occupied a specific district of moderate extent, and having an easily defensible frontier.

The Normans who conquered Naples were few in number, and far removed from their original seats. They could expect no succour, and had to rely altogether upon themselves. Any Norman who established himself in Italy bade farewell to home and kindred for ever. In this we may discern the cause of their success. They threw in their fortunes with the land of their adoption. They did not attempt to form a Norman nation in Italy, but made themselves Italians, and, if of foreign extraction, acted as a native aristocracy.

The Germans found in the Slaves more dangerous enemies than did the Normans in the Irish. Their resistance was protracted; they were not merely obstinate, but aggressive—so much so, that the feudal system was utterly inadequate to check them. For this purpose the order of the Teutonic knights was instituted, which formed in itself a permanent and organised army. Step by step, and by many dearly-bought victories, the Slaves were driven backward; but the ground once won by the Teutonic Order was never left unoccupied. A constant stream of German colonists occupied the freshly-acquired territory; castles and cathedral towns rose upon the battle-fields; and every district lost by the Slavonians was lost by them for ever. The success of the Teutonic knights arose from the possession of a standing army, and the rapidity with which the conquered lands were absorbed into the unbroken mass of the German Empire.

In Ireland none of these causes of success existed; rather the opposite. There was no powerful Celtic king who dared to fight on equal terms with the Norman invaders, and whose throne Henry II. might have ascended. There was no great nobility depending on the Crown, whose estates could be confiscated, and handed over to Norman adventurers. There were no definite portions of the island divided by a defensible frontier, which could be respectively occupied by the invaders and natives. The Norman nobles who settled in Ireland still held demesnes in France and

England, and, confident in the support of the English Crown, sought at first rather to oppress the native Celts than to become their leaders. The Government possessed no standing force; and when by some spasmodic effort it drove back the Celtic population, the Irish Channel, at once too narrow and too broad, checked the influx of Saxon colonists.

---



## CHAPTER VII.

---

### THE CONQUEST OF IRELAND BY THE NORMANS.

THE best introduction to this Chapter is found in the opening paragraphs of the well-known tract, viz., “A Discovery of the True Causes why Ireland was never entirely subdued;”—

“During the time of my service in Ireland (which began in the first yeare of his Majesties raigne), I have visited all the Provinces of that Kingdome in sundry Journies and circuits; wherein I have observed the good Temperature of the Ayre; the Fruitfulness of the Soyle; the pleasant and commodious seats for habitation; the safe and large Ports and Havens lying open for Traficke into all the West parts of the world; the long Inlets of many Navigable Rivers, and so many great Lakes and Fresh Ponds within the land (as the like are not to be seene in any part of Europe); the rich Fishings and Wild Fowls of all kinds; and lastly, the bodjes and minds of the people, endued with extraordinarie abilities of nature.

“The observation whereof hath bred in me some curiositie to consider what were the true causes why the Kingdome whereof our Kings of England have borne the title of Sovereign Lords for the space of four hundred and odde years (a period of time wherein divers great Monarchies have risen from Barbarism to Civilitie, and fallen againe to ruine), was not in all that space of time thoroughly subdued and reduced to obedience of the Crowne of England, although there had been almost a continuall warre between the English and the Irish; and why the manners of the mere Irish are so little altered since the days of King Henry the Second, as appeareth by the description made by Giraldus Cambrensis (who lived and wrote in that time), albeit there have been since that time so many

English Colonies planted in Ireland, as that if the people were numbered at this day by the Poll, such as are descended of English race would be found more in number than the ancient Natives.

“ And truly, upon consideration of the conduct and passage of affairs in former times, I find that the State of England ought to be cleared of an imputation which a vulgar error hath cast upon it in one point—namely, That Ireland long since might have been subdued and reduced to Civility, if some Statesmen in policy had not thought it more fit to continue that Realme in Barbarisme. Doubtless this vulgar opinion (or report) hath no true ground, but did first arise either out of ignorance or out of malice. For it will appeare by that which shall hereafter be laide downe in this discourse, that ever since our Nation had any footing in this land, the State of England did earnestly desire and did accordingly endeavor, from time to time, to perfect the conquest of this kingdom, but that in every age there were found such impediments and defects in both Realmes as caused almost an impossibility that things should have bin otherwise than they were.

“ The defects which hindered the Perfection of the Conquest of Ireland were of two kinds, and consisted first in the faint prosecution of the warre, and next in the loosenesse of the civill government. For the Husbandman must first break the Land before it be made capable of good seede ; and when it is thoroughly broken and manured, if he do not forthwith cast good seed into it, it will grow wilde againe and beare nothing but weeds. So a barbarous country must be first broken by a warre, before it will be capable of good government ; and when it is fully subdued and conquered, if it be not well planted and governed after the conquest, it will eftsoones return to the former Barbarism,

“ Touching the carriage of the Martiall Affaires from the seventeenth yeare of King Henry the Second, when the first overture was made for the conquest of Ireland (I meane the first after the Norman conquest of England), until the nine and thirtieth yeare of Queene Elizabeth, when that Royal Army was sent over to suppress Tirones rebellion, which made in the end an universall and absolute conquest of all the Irishrie ; it is most certaine that the English forces sent hither, or raised heere from time to time, were ever too weake to subdue and master so many warlike nations (or

septs) of the Irish, as did possesse this Island ; and, besides their weaknesses, they were ill paid and worse governed. And if at any time there came over an army of competent strength and power, it did rather terrifie than breake and subdue this people, being ever broken and dissolved by some one accident or other before the perfection of the conquest.

“ For that, I call a perfect conquest of a country, which doth reduce all the people thereof to the condition of subjects, and those I call subjects which are governed by the ordinary laws and Magistrates, and Sovereigne. For though the Prince doth beare the title of Sovereign Lord of an entire country (as our King did of all Ireland), yet, if there be two-third parts of the country wherein he cannot punish treason, murders, or thefts, unless he send an army to do it, if the jurisdiction of his ordinary Courts of Justice doth not extend into those parts to protect the people from wrong and oppression, if he have no certain Revennue or no Escheats or forfeitures out of the same, I cannot justly say that such a country is wholly conquered.”

Sir John Davis, the most able statesman sent over to Ireland in the seventeenth century, was the author of this passage, which is cited, not as giving a complete explanation of the difficulty, but to show that every historian who has fairly examined the question must admit that the common phrase repeated by English historians, “ conquest of Ireland in the twelfth century,” is an utter misnomer.

The actual details of a conquest are seldom instructive. When a flooded river has burst through the dykes too weak to resist it, it is waste of time to calculate at what point the water first broke in. At innumerable points the barrier was ready to yield. Of all the weak spots, which was the weakest is very immaterial.

Great national movements do not spring from trivial accidents ; they result from causes linked together, in an endless chain, far beyond our knowledge, and form in themselves successive links, in the endless series of events. Superficial thinkers, when they discover in some miserable crime or intrigue the immediate antecedent, imagine they have descried *the* cause, and blankly wondering at the mysteries of Providence, teach us that great events from trivial causes spring.

The excuses for the invasion of Ireland are of the vulgarest.



Let an Irishman read the story of the conquest of South Wales by the fathers of the invaders of Ireland ; if he change the names, the story is told of ourselves. It is not, therefore, without a special reason that on this occasion I shall go at some detail into the first invasion of Ireland ; I do so because in that event the contradiction between Norman and Celtic ideas, both social and religious, comes out with peculiar vividness, and there are there foreshadowed the numerous perplexities which have since embarrassed the English government.

Dermot MacMurrough, the elective chief of the dominant tribe in Leinster, and as such king of that province, had been expelled from his chieftainry ; he is universally described as violent, overbearing, and ferocious ; he was banished by his own tribe, probably in full accordance with Celtic law, as an unjust king ; for we must reject the legend of Dervorgil as inconsistent with well-known dates.

Dermot could claim his crown neither by sacred unction nor hereditary right, yet, when driven from Ireland, comported himself in the usual fashion of royal fugitives or pretenders. He made his way to Aquitaine, to obtain assistance from Henry II., willing to make any promise or sacrifice to secure his restoration. Henry II. was then unable personally to enter upon the adventure ; the time was not propitious, and he had already enough elsewhere upon his hands ; at the same time he was anxious not to lose so fair an opportunity of invading Ireland—a project which he had previously contemplated—and, from the necessities of Dermot, he could obtain promises without immediate payment for them. He gave letters to Dermot, authorising him to recruit adventurers within his English and Continental dominions ; in return for this recommendation, Dermot did homage, and took an oath of fealty. The transaction is so curious, that the parties themselves could scarcely have understood the effects of the engagement. Did Dermot, an exiled chief, who never had possessed any land in Ireland, save in virtue of the office from which he had been deposed—who possessed no right of jurisdiction over his tribe, save by their consent and election—who was not a king either by religious sanction or hereditary right—who had not then adherents nor a footing in Ireland—did he swear to hold all the lands of his own and the subject tribes as a vassal of the English king, upon the terms of feudal tenure ?

Did Henry II. know the royal position of Dermot when he received this illusory homage, or did he simply receive his personal fealty in hope thereby on some subsequent occasion to gain an excuse for interference in Ireland? The form of the letter given to Dermot, and the subsequent homage by Strongbow, would lead to the supposition that Dermot merely engaged himself as the king's man without reference to any specific territory. The celebrated letter ran thus :—" Henry, King of England, &c., &c. Whosoever these our letters shall come unto you, know ye that we have received Dermotius, prince of Leinster, into our grace and favour ; wherefore, whosoever within the bounds of our territories shall be willing to give him aid as our vassal and liegeman in recovering his territories, be assured of our favour and licence in that behalf." Armed with this letter, Dermot fixed himself in Bristol, striving to raise recruits, but at first with little success. He shortly after fell in with an adventurer exactly suited to his purpose.

Not far from Bristol stands the Castle of Chepstow ; four miles thence, on the old high road to Abergavenny, once stood the Castle of Strigul, where resided Richard de Clare, better known as Strongbow. The great family of De Clare, descendants of Godfrey, an illegitimate son of Richard I. of Normandy, were originally Counts of Brionne, which fief they had exchanged for Tunbridge in England. Gilbert de Clare, the father of Richard, had, under licence of Henry I., made extensive conquests in South Wales, and had been created Earl of Pembroke in 1138. The De Clares had been hitherto unfortunate in politics, being generally found upon the losing side ; as a natural consequence of which, the Earl Richard had been stripped of his inheritance by Henry II. Such a man was admirably fitted for the purposes of Dermot ; of broken fortune, he was willing to enter upon any adventure, however desperate ; his high birth and admitted abilities enabled him to gather adventurers around him, and his father's memory lent him the prestige of successful conquest.

The king and earl soon came to an arrangement, the terms of which are remarkable, viz., that in the ensuing spring the earl should lend his aid for the recovery of Dermot's kingdom, upon the condition of obtaining the hand of the king's only daughter and the succession to his kingdom. The succession to the kingdom of

Leinster was to pass to the husband of Dermot's only daughter: this arrangement, perfectly reasonable and legal as applied to a feudal fief, was unintelligible when made with reference to a kingdom in Ireland. Dermot had no kingdom in Ireland: even were he still in possession of the throne of Leinster, he would have held it merely for his own life, without any pretension to transmit it to his issue. Here we have the first instance of the conflict of the Norman and Irish land laws; all the tribe and tribal property of Leinster were to pass through a woman to a foreigner, as if they had been landed estate in England. Strongbow must have entered into this agreement in perfect ignorance of the Celtic customs, for he met with but enemies where he expected to find vassals, and the promise of Dermot gave him no possible claim to the kingdom. The Irish king was of course willing to make any contract; he cared for nothing but to induce Strongbow to cross the Channel, leaving it to him to assert his illusory claims as best he might.

In this transaction is foreshadowed the dealings of the English Government with the Irish people for more than four centuries. Through the same confusion between the office of the chief and the ownership of the lands, James confiscated the estates of Tyrconnel and O'Neill upon their attainder, treated the occupiers of the lands, who were not even charged with being privy to the alleged treason of their lords, as not possessing any estate in the lands, asserted them to be mere tenants at will, and capable of being expelled from their homes at the pleasure of the Crown, which, by the felony of the "landlord," had resumed the fee, and thus cleared the northern counties for the plantation of Ulster.

Dermot, after this arrangement, proceeded to St. David's, where he met the knight who was the real leader of the invasion of Ireland. As he and his connexion formed the mass of the original adventurers, so long the surest support of the Norman colony, and the objects of suspicion and fear of the English Government, I must here explain his origin and antecedents.

Nesta, the daughter of Rhys-ap-Tudor, prince of South Wales, and sister of his son and successor, Griffith-ap-Rhys, was originally the mistress of Henry I., and subsequently married—firstly, Gerald de Windsor; and secondly, Stephen the Castellan of Abertivy. She had thus three distinct families, the members of which almost



all embarked in the Irish speculation, and are described by Giraldus Cambrensis as the Geraldines—a name subsequently restricted to a single branch. Her descendants, who took part in the invasion, were as follows:—Three grandsons of the first family, Meyler, Robert, and Henry Fitzhenry; of the second family, Richard and Milo do Cogan, Gerald the historian, Philip and Robert de Barri, Alexander, Gerald, and William Fitzgerald, Raymond le Gros, and Hervey de Montmaurice, who had married Nesta, a sister of the Fitzgeralds; and of the third family, Robert Fitzstephen. This Robert Fitzstephen had been made prisoner by the Welsh prince, his uncle, Rhys-ap-Tudor, and after long imprisonment had agreed to abjure his fealty to the English king, and to join the Welsh.

When pressed to fulfil his promise, Fitzstephen hesitated. If he refused, he had to fear renewed imprisonment at the hands of his uncle; if he fulfilled his undertaking, he had to dread the vengeance of the English king, his former master. An alliance with Dermot, and an expedition to Ireland, would free him from his difficulties; and in this he was assisted by the friendly intervention of the Bishop of St. David's.

The terms of his arrangement with Dermot were, that he and his cousin, Maurice Fitzgerald, who had joined in the adventure, should assist Dermot in recovering his territory, and receive, as the consideration for so doing, the town of Wexford and a district adjoining, to be held in fee. When it is remembered that the town of Wexford and the surrounding territory were in the possession of a Danish colony, Dermot appears to have made a very cheap bargain with his allies. At the same time, it shows how deeply the Normans were impressed with the idea that a king could allot to his vassals any portion of his kingdom, and deal with it as a private estate. They probably believed the town of Wexford to be one of those feeble municipalities which, in England and elsewhere, afforded to the dominant lord a source of revenue arising from exactions levied or privileges bestowed.

Through Robert Fitzstephen and Maurice Fitzgerald, almost all the descendants of Nesta were drawn into the speculation. They do not appear to have been subordinate to or acting in conjunction with Richard de Clare; and from their descent (which was half Welsh) could have felt but small loyalty to the Norman king.

This mixture of blood seems to have been indicated by the coat armour of Fitzstephen, which bore the well-known saltier cross of the Geraldines, half of the shield being red, half ermine, and the arms of the cross of the same colour as the opposite half of the ground.

About the 1st of May, A.D. 1170, Fitzstephen landed near Wexford, and on the next day Maurice de Prendergast, apparently an independent adventurer; with their united forces, probably amounting to about 600 men, they advanced against Wexford. The Danish inhabitants, who, as Giraldus remarks, "had been previously independent," advanced against them; but, alarmed by the unusual appearance of heavily-armed horse, retreated to the town, and, after some resistance, submitted to Dermot, who had joined his allies. Whereupon Dermot, "the more to animate the courage of his adherents," granted the town, with the whole territory appertaining thereto, to Fitzstephen and Maurice, according to the stipulation of the original treaty. He also conferred on Hervey of Montmaurice (who had accompanied his relations) two cantreds lying between Wexford and Waterford, "to hold to him and his heirs for ever." There cannot be conceived a more extraordinary confusion of law and right than this transaction. The tribal chief of the Celts of Leinster confers upon two half-Norman, half-Welsh knights the town and district then occupied by a Danish population, to hold to them and their heirs for ever, as vassals to him and his heirs—whatsoever that might mean. But in this case, as in many others, legal complexities were easily cut through with the sword.

The establishment of the Normans in Wexford as allies of Dermot soon drew the attention of Roderic O'Connor, the then King of Ireland, who, having convoked his chiefs, resolved to make war on Dermot. The latter, alarmed at the threatened storm, made peace upon the terms that all Leinster should be left under his dominion, and that he in his turn should submit to Roderic as chief king, paying the usual homage and service. It was secretly agreed between them that no more foreigners should be brought over, and that those then in Ireland should be sent back upon the first opportunity. But the current of adventurers once set in motion could not thus be checked. Maurice Fitzgerald, Raymond

le Gros, and at length the Earl Richard himself, successively arrived (23rd August, 1171). The first exploit of the two latter was the conquest of Waterford; where, shortly afterwards, Richard de Clare married Eva, the daughter of Dermot. Thus a large force of Normans was gradually established in Ireland, under the command of a chief claiming the succession to the crown of Leinster by a right utterly repugnant to all Celtic law and tradition, and which could only be established by an enforced change in the ideas and customs of the natives, their subjection to the condition of serfs, or their expulsion from the districts. Dermot, who had hoped to use the foreigners as his tools, became a puppet in their hands, and accompanied, rather than conducted, them in their expedition against Dublin, which was captured by a treacherous surprise—the Danish king and the majority of his followers taking to the sea in their galleys.

The whole Celtic population was filled with alarm by these events, and the clergy assembled at Armagh to search into their sins. The results of this synod are thus described by Giraldus:—

“It was unanimously resolved that it appeared to the synod that the Divine vengeance had brought upon them this severe judgment for the sins of the people, and especially for this, that they had long been wont to purchase natives of England, as well from traders as from robbers and pirates, and to reduce them to slavery; and that now they also, by reciprocal justice, were reduced to servitude by that very nation. It was, therefore, publicly decreed by the before-mentioned synod, and publicly proclaimed by universal accord, that all Englishmen throughout the island who were in a state of bondage should be restored to freedom.”

This decree of the Synod of Armagh has been a favourite subject for commendation by Irish writers; but, rightly considered, it is the clearest proof that the state of the Celtic people was beyond all hope of self-amendment. It was the want of law, order, and justice, the absence of self-knowledge and self-control—not the possession of some English slaves—which had paralysed their national action, and reduced the power of the chief king to insignificance. The ruined prodigal, when looking back upon the sad history of a blighted career, instead of realising the great failure of his life, flatters himself that some particular sin or accident was



the origin of all his sufferings. At the crisis of their fate, the Celtic nation, as represented by their Church, could not realise that the insubordination of the chiefs, the incapacity or powerlessness of their kings, their perpetual civil wars, and their utter political disorganisation, were the true causes which rendered the foreigners so formidable. When Israel repented of its sin and idolatry, such repentance was manifested by a return to their ancient law, and by discipline and obedience to their judge or king; but the Irish people, foredoomed to destruction, thought that they might still continue in their political sins, and at the same time bribe Heaven to interpose in their behalf, by making restitution for one venial among many grievous errors.

If the native Irish were beset by alarm and perplexity, both Henry II. and the first adventurers were suffering equal alarm. Henry II. had not foreseen the extent to which his recommendatory letters would have been acted upon by adventurers from England. He may have anticipated that Dermot would have failed to gather the requisite number of recruits, or that if he had secured some assistance, it would have been sufficient merely to keep the Irish question open, and to leave an opportunity for the English king to interfere with imposing power; but he now saw a powerful and successful army in possession of Leinster, and occupying the chief maritime cities of the island. This independent force was under the control of two leaders of doubtful fidelity—De Clare, who had been stripped of most of his English estates, and Fitzstephen, who had agreed with Rhys-ap-Tudor to join the Welsh against the English. The establishment of an independent Norman State in Ireland would have been a disastrous event for an English king. Celtic Ireland, if independent, was not aggressive, and, as incapable of defence, had been marked for conquest; but a Norman State in Ireland, under the rule of the De Clares or Fitzgeralds, might have been as great a difficulty to England as Scotland afterwards proved to be. Henry, therefore, dreaded beyond anything lest Strongbow and Fitzstephen should succeed, and at once proceeded to check their further progress, by cutting off their supplies and recalling such of their followers as would still obey him. Here we observe the first instance of the policy so often adopted by the English Government toward the Anglo-Norman

colonists, who, though put forward by England to conquer Ireland at their own cost, for the benefit of the English Crown, were invariably more suspected and frequently worse treated by England than the native inhabitants themselves.

The Earl Richard himself, threatened on the one hand by Roderic O'Connor and the entire Celtic population (for Dermot had lately died), and having his supplies from England cut off, was filled with equal apprehensions; and, as the only means of escaping from his difficulties, resolved to submit to the king and to hold the kingdom of Leinster as his vassal. He despatched the following letter to the king:—"My lord and king. It was with your licence, as I understood, that I came over to Ireland, for the purpose of aiding your faithful vassal Dermot in the recovery of his territories. Whatsoever land, therefore, I have had the good fortune to acquire in this country, either in right of his patrimony or from any other person, I consider to be owing to your gracious favour, and I shall hold them at your free disposal." The offer made in this letter by the earl to the king shows distinctly the position which he had previously imagined himself to occupy. To this letter no answer was returned; and the king pushed forward very large preparations for the invasion of Ireland.

Meanwhile the storm broke upon the Normans with even greater fury than had been anticipated: not only were they assailed by the natives under the chief king, Roderic, but also by a more formidable enemy, the Danes, previously expelled from Dublin, who returned to regain their native city with the aid of their countrymen of the Western Isles. "About the feast of Whitsuntide, Hasculf, who had been King of Dublin, with sixty ships full of Norse and Islesmen, sailed into the Liffey. Landing from their ships in all haste, they sat down before the east gate of the city and prepared to assault it. They were under the command of John the Mad" (probably a Berserker), "and were all warriors armed after the Danish fashion, some having long breast-plates, and others shirts of mail; their shields were round, and red, bound about with iron. Iron-hearted were they as well as iron-clad. Milo de Cogan, the governor of the city, boldly marched out to attack them, though with unequal force. But not being able with inferior numbers to withstand the enemy's attack, he was compelled to retire within the

gate. At length Richard de Cogan, sallying unobserved from the eastern postern, fell on the enemies' rear; by which unexpected attack they were thrown into confusion, and being quickly routed, took to flight."

Hasculf, the last Danish King of Dublin, was captured upon the stand, and was beheaded in consequence of some rash and arrogant expressions which he used. Thus for ever perished the Danish power in Ireland, and the remaining Danish inhabitants acquiesced in the Norman rule, and so thoroughly did they ally themselves to the Norman as against the Celt, that in A.D. 1174, upon a defeat near Thurles of the Dublin levies, which had advanced towards Cashel to form a junction with Earl Richard and Raymond le Gros, who were lying there, upwards of 400 Ostmen were counted among the slain.

Scarcely had the Normans escaped this danger, when they were assailed by Roderic O'Connor and the united force of the native Irish, while Godred, King of Man, with his fleet, blockaded the port.

The Norman leaders, evidently ignorant how inefficient large bodies of ill-disciplined footmen prove when exposed to cavalry in the open field, remained within their fortifications until their provisions failed them, whence they issued at last with the intention of staking their fortune upon a desperate venture. Before the onset of heavily-armed horse, the host of the besiegers broke up in confusion; King Roderic barely escaped with his life. This feeble and ill-conducted expedition proved to be the only national effort made by the Irish under an Irish king to expel the foreigners from their land. "On the morrow the English, leaving a garrison in the city, unfurled their standards, and, flushed with victory, marched by the upper road through Odrone towards Wexford."

In spite of the King of England, with their supplies cut off, and abandoned by their countrymen, they, unaided, had defeated alike the Norse and the Celts; there remained no organised power to resist them, and Earl Richard may have now seen the sovereignty of Ireland within his grasp. But if they entertained these hopes, they were soon disappointed; at Waterford the earl received letters from the king inviting him to come over to England, and he was at the same time, doubtless, informed of the powerful arma-



ment assembled by the king, and ready to cross over the Channel. The earl proceeded to Gloucester, where he met the king: what occurred is thus related by Gerald: "While there he succeeded, after much altercation, by the address and mediation of Hervey, in appeasing the king's displeasure." The letter sent by the earl to the king is inconsistent with the story that the earl had disobeyed the king's orders by embarking for Ireland; he does not there excuse any disobedience on his part, but boldly relies upon the licence given by the king to his subjects to assist King Dermot. The king was displeased with him because he had done too much—because he had forestalled him in what must have seemed the conquest of Ireland—because he had almost become an independent prince. The king was determined to bind him in the strictest bonds of feudal obligations, and to check his power and lower his position, by depriving him of Dublin, even then considered as the capital of the island, together with the surrounding district. The earl made his peace with the king upon the terms of renewing his oath of fealty, surrendering to him Dublin and the adjacent cantred, with the towns on the sea-coast and all the fortresses; and submitting to hold the rest of his conquests to him and his heirs of the king and his heirs.

That the king's anger against the Earl Richard did not arise from any special act of disobedience of which he had been guilty, appears from his conduct to Fitzstephen, who certainly had not been desired to abstain from the enterprise—"While the king was resting at Waterford, the men of Wexford, to court his favour, brought to him in fetters their prisoner Fitzstephen" (who had been taken prisoner shortly before, according to the Welsh historian, under circumstances of gross treachery), "excusing themselves because he had been the first to invade Ireland without the royal licence, and had set others a bad example. The king having loudly rated him, and threatened him with his indignation for his rash enterprise, at last sent him back loaded with fetters, and chained to another prisoner, to be kept in safe custody in Reginald's tower."

The king landed at Waterford on the 18th of October, 1172; he had with him a large and carefully equipped force, more than sufficient to overbear any resistance in the open field; but he

neither had the means nor the time to enter upon a protracted campaign, such as the complete conquest of the island required.

He had already sufficiently curtailed the power of the first adventurers, reduced them to the position of feudal vassals, and secured the possession of Dublin and the principal seaports; but as he could not maintain a standing force in Ireland, it was his interest to support the first adventurers in their estates, as they constituted an unpaid and permanent garrison available against the natives. Towards the original inhabitants his policy was equally obvious: to crush them down by means of the army, which he had brought over, would have proved advantageous to the first settlers only; the Celtic population might prove useful as a counterpoise to the Earl Richard and Fitzstephen; they might be induced to enter into feudal obligations, which, though for the time being unfruitful and even unmeaning, could afford an excuse for any subsequent interference: thus the Normans and Irish, both brought within the jurisdiction of the English Crown, might be set off against each other, and on fit occasion the king could intervene, to his own profit, as their supreme lord and final arbitrator.

The Irish chiefs themselves were doubtless impressed by the display of power made by the English king; they were as yet ignorant how deceptive was this outward show, and how useless in a country such as theirs was a feudal Norman army. They had been lately shamefully defeated before Dublin by the comparatively small force of the Earl Richard; their fears were rather directed to the first adventurers, who had come over to win, with the strong hand, estates in the islands, than towards the king, who represented himself to them as resolved sternly to repress the lawlessness of the earl and Fitzstephen; thus in the king they may have hoped to find the only enemy whose force was irresistible, and the only available protector against further aggression.

It is not to be wondered at if, under these circumstances, the various tribal chiefs—first those adjoining Waterford, subsequently almost all throughout the island—repaired to the English camp and made their submission, which was gladly received by the king, with whose policy it coincided, and who was desirous to leave Ireland as soon as possible. The English army, after a royal progress, rather than an hostile invasion, through part of Munster and

Leinster, arrived at Dublin, where the Irish chiefs were hospitably received with a splendour calculated at once to win their good-will and increase their estimate of the wealth and power of the English king.

The only exception to this ostensibly lenient conduct of the king towards the Irish chiefs was the grant of Meath to De Lacy ; but this, the appanage of the chief King of Ireland, may have been naturally considered by Henry as a portion of the royal demesne, and O'Rorke, who was then in possession—how and why we are ignorant—treated as an intruder.

The submission of each chief included the act of homage, by which he undertook to hold the territory which he ruled, as a vassal of the Crown of England ; and the general form of such arrangements may be gathered from the final treaty between Henry and Roderic O'Connor, as preserved by Roger of Hoveden :—"The King of England grants to the above-named Roderic, his liegeman, the kingdom of Connaught, so long as he shall faithfully serve him, so as to be king thereof under him, and ready to do him service as his liegeman : that he shall hold his lands as well and peaceably as he held the same before our lord the King of England entered Ireland, always paying him tribute, and that he shall hold all the rest of that land, and the inhabitants of that land, in subjection to himself, and shall execute justice over them in such way that they shall pay full tribute to the King of England, and by his hand preserve their rights. And those who now hold lands are to hold the same in peace so long as they shall observe their fealty to the King of England, and fully and faithfully render him tribute and his other rights, which they owe to him, by the hand of the King of Connaught, having in all things the rights and honour of our lord the King of England and himself. And if any of them shall become rebels against the King of England and himself, and shall be unwilling by his hand to render tribute and his other rights unto the King of England, and shall withdraw from their fealty to the king, he shall take judicial cognisance thereof, and remove them therefrom ; and if of himself he shall not be able to carry out his sentence against them, the constable of the King of England and his household in that land shall aid him in so doing when they shall have been called upon by him, and it shall to them seem that



it be necessary to do so. And by reason of this treaty the aforesaid King of Connaught shall render tribute each year to our lord the king, that is to say, for every ten animals one skin such as may be approved of by dealers, both from the whole of his own lands, as also from those of others," &c., &c. This document, whether authentic or not, gives a fair idea of the relation in which the English believed the Irish chiefs who had submitted to stand towards the English Crown.

Although the policy first adopted by Henry II. was subsequently abandoned by him, it was resumed by the English Government at a later period, and the document which has been just cited exhibits in a clear light the relative positions of the parties.

As to the effect of such an arrangement, it is to be observed—firstly, it is not, either in form or substance, a treaty between the English king and the Celtic chief on behalf of his clan, but a grant by the king, as absolute owner of all ungranted land, of the district comprised in the grant to the Irish chief as a private individual; secondly, the line of succession in which the estate is to pass would be determined by the principles of feudal law; thirdly, though establishing a feudal relation between the Crown and the grantee, it does not determine the rights of the grantee over the inhabitants of the district, but assumes that he, and those claiming through him, will possess a certain indefinite executive and judicial power; and lastly, it is made without any reference to the assent or legal rights of the native inhabitants.

Insuperable difficulties naturally arose from such arrangements; the grantee stood towards the Crown in the position of a feudal vassal; but according to what law were questions arising between him and the inhabitants to be decided? Upon the death of the grantee, the inherent vices of the transaction were at once developed. Who was to succeed the deceased grantee? Had he taken the grant for his personal benefit or as a trustee for the tribe, of which he was merely the elected chief? Was his heir, according to feudal law, to possess the position of hereditary chief? Could the English Crown change what was a tribal office into an hereditary jurisdiction, and entail on the descendants of its grantee the powers of a native chieftain? or was the subsequently elected chief to occupy the position of a feudal vassal? or could there possibly

co-exist in the same district the heir of the grantee possessing the property of the land and the consequences, which, under the English law, flowed from the fact of ownership, and also the tribal chief elected by the people, and acting according to the Brehon Law. These difficulties at a subsequent period embarrassed the Tudor Government as political questions, and at last, in the reign of James I., were referred to the law courts, where, in the celebrated Tanistry case, all rights arising from Irish law were finally abolished.

No contract can be carried out to which parties, respectively, attach different meanings. Henry II. may have believed that he acquired an absolute right of supremacy over the Irish chiefs; but the Irish chiefs themselves submitted to him as to any Irish chief king of that period for the time being, because his force seemed irresistible, and only for so long as he was capable of compelling obedience. When the English king withdrew, the obligation on the part of the Irish chiefs to admit his supremacy *de facto* ceased. They might have cited the principle of English law, *cessante ratione, cessat lex*.

Henry II. further relied upon the assistance of the Church. He put himself forward as the champion of the Roman hierarchy, in opposition to the Celtic form of ecclesiastical government. For this purpose he had obtained a Papal Bull, either shortly before or at the date of his expedition, of the following tenor:—

*“Adrian the bishop, the servant of the servants of God, to his most dearly beloved son in Christ, the illustrious King of England, sendeth greeting, with the apostolical benediction.\**

*“Your Majesty (tua magnificentia) laudably and profitably considers how you may best promote your glory on earth, and lay up for yourself an eternal reward in heaven, when, as becomes a Catholic prince, you labour to extend the borders of the Church, to*

\* Adrian IV. held the Papal See, 1155-1159. A copy of the grant of Ireland made by this pope to Henry II. is also preserved by Roger de Wendover, who says that it was obtained in 1155: so that Henry's designs on Ireland, though early entertained, seem to have long slumbered. Henry procured a confirmation of Pope Adrian's grant from his successor, Alexander III. There is a translation of it in Hooker's edition of the History of Giraldus. The grant appears to have been made in 1172.

teach the truths of the Christian faith to a rude and unlettered people, and to root out the weeds of wickedness from the field of the Lord ; for this purpose you crave the advice and assistance of the Apostolic See, and in so doing, we are persuaded that the higher are your aims, and the more discreet your proceedings, the greater, under God, will be your success. For those who begin with zeal for the faith, and love for religion, may always have the best hopes of bringing their undertakings to a prosperous end. It is beyond all doubt, as your Highness acknowledgeth, that Ireland and all the other islands on which the light of the gospel of Christ has dawned, and which have received the knowledge of the Christian faith, do of right belong and appertain to St. Peter and the holy Roman Church. Wherefore we are the more desirous to sow in them the acceptable seed of God's word, because we know that it will be strictly required of us hereafter. You have signified to us, our well-beloved son in Christ, that you propose to enter the island of Ireland in order to subdue the people, and make them obedient to laws, and to root out from among them the weeds of sin ; and that you are willing to yield and pay yearly from every house the pension of one penny to St. Peter, and to keep and preserve the rights of the churches in that land whole and inviolate. We, therefore, regarding your pious and laudable design with due favour, and graciously assenting to your petition, do hereby declare our will and pleasure, that, for the purpose of enlarging the borders of the Church, setting bounds to the progress of wickedness, reforming evil manners, planting virtue, and increasing the Christian religion, you do enter and take possession of that island, and execute therein whatsoever shall be for God's honour and the welfare of the same. And further, we do also strictly charge and require that the people of that land shall accept you with all honour, and dutifully obey you, as their liege lord, saving only the rights of the churches, which we will have inviolably preserved ; and reserving to St. Peter and the holy Roman Church the yearly pension of one penny from each house. If therefore you bring your purpose to good effect, let it be your study to improve the habits of that people, and take such orders by yourself, or by others whom you shall think fitting, for their lives, manners, and conversation, that the Church there may be adorned by them, the



Christian faith be planted and increased, and all that concerns the honour of God and the salvation of souls be ordered by you in like manner; so that you may receive at God's hands the blessed reward of everlasting life, and may obtain on earth a glorious name in ages to come."

The existence of this document has been a stumbling-block to Irish Catholic writers.\* They cannot understand how a pope could have granted to an English king sovereign powers over the faithful and Catholic people. It must be remembered, however, that Henry II. professed to act in the interest of the papacy, and that such an exercise of papal power was not unusual. It resembles the grants made by popes to the Spanish and Portuguese Governments, and is not as extraordinary as the papal investiture of Naples granted to Norman adventurers, or the approval and sanction given by a pope to the invasion of England by William the Conqueror. The reality and great effect produced by this document appear from the statement in Roger de Hoveden:—"There came to the king at Waterford all the archbishops, bishops, and abbots of the whole of Ireland, and acknowledged him as King and Lord of Ireland, taking the oath of fealty to him and to his heirs, and admitting his and their right of reigning over them for all time to come;" and also from the remonstrance addressed by Donald O'Neill to Pope John XXII., A.D. 1318, which complains that Pope Adrian, acting on the representation, false and full of iniquity, made to him by Henry II., King of England, and being blinded by his own English prejudices, as being himself an Englishman, had made over to the English monarch the realm of Ireland, thus bestowing *de facto* upon a sovereign—who, for his murder of St. Thomas of Canterbury, ought rather to have been deprived of his own kingdom—a kingdom which *de jure* the pope had no right to bestow, and that this grant was the real source of all the miseries of the country.

What were the weeds of sin which Henry II. was to root up in Ireland? Giraldus Cambrensis, a most unfriendly witness, in his *Topography of Ireland*, entitled the nineteenth chapter of the third

[\* They frequently formerly denied, and still sometimes question, its genuineness; but there is no real doubt as to its authenticity.]

book thus:—"How the Irish are very ignorant of the rudiments of faith." But the only specific charges brought against them in this chapter are the non-payment of tithes, irregularities as to marriage, and the celebration of marriages within the decrees forbidden by canon law.

As to the clergy he says: "We come now to the clerical order. The clergy, then, of this country are commendable enough for their piety, and, among many other virtues in which they excel, are especially eminent for that of continence. They also perform with great regularity the services of the psalms, hours, lessons, and prayers, and, confining themselves to the precincts of the churches, employ their whole time in the offices to which they are appointed. They also pay due attention to the rule of abstinence and a spare diet, the greatest part of them fasting almost every day till dusk, when by singing complines they have finished the offices of the several hours for the day. Would that, after these long fasts, they were as sober as they were serious, as true as they are severe, as pure as they are enduring, such in reality as they are in appearance. But among so many thousands you will scarcely find one who, after his devotion to long fastings and prayers, does not make up by night for his privations during the day by the enormous quantities of wine and other liquors in which he indulges more than is becoming."

He complains that the bishops did not preach or rebuke, "for as nearly all the prelates of Ireland are elected from the monasteries over the clergy, they scrupulously perform the duties of a monk, but pass by all those which belong to the clergy and bishops. An anxious care for the good of the flock committed to them is little cultivated, or made a secondary concern."

The indefinite charge by Giraldus against the manners of the Irish clergy may be dismissed. Their conduct appears, at least, to have been superior to that of the English clergy of the period, whose lives, when they arrived in that country, scandalised the members of the Irish Church. The sum of the charges brought against the Irish Church appears to amount to this, that the government of the Church by the bishops was such as might have been expected from the monastic traditions of the Church, and that canon law had not been established in the country.

For the purpose of carrying out the views of the Papal Government and the promises of the king in A.D. 1172, a council was held at Cashel, under the presidency of Christian, the Bishop of Lismore, the Papal Legate, and in the presence of commissioners on behalf of the king. The more important resolutions of this council were the following :—

“ *First.* It is decreed that all the faithful throughout Ireland shall eschew concubinage with their cousins and kinsfolk, and contract and adhere to lawful marriages.\*

“ *Second.* That children be catechised outside the church doors, and infants baptized at the consecrated fonts in the baptisteries of the churches.

“ *Third.* That all good Christians do pay the tithes of beasts, corn, and other produce, to the church of the parish in which they live.

“ *Fourth.* That all the lands and possessions of the Church be entirely free from all exactions of secular men ; and especially, that neither the petty kings (*reguli*), nor earls, or other great men in Ireland, nor their sons, nor any of their household, shall exact provisions and lodgings on any ecclesiastical territories, as the custom is, nor under any pretence presume to extort them by violent means ; and that the detestable practice of extorting a loaf four times a year from the vills belonging to the churches, by neighbouring lords, shall henceforth be utterly abolished.

“ *Fifth.* That in the case of a homicide committed by laics, when it is compounded for by the adverse parties, none of the clergy, though of kindred to the perpetrators of the crime, shall contribute anything ; that, as they were free from the guilt of the homicide, so they shall be also exonerated from any payment in satisfaction for it.

“ *Sixth.* That every good Christian, being sick and weak, shall solemnly make his last will and testament in the presence of his confessors and neighbours, and that, if he have any wife and

[\* The concubinage here prohibited was marriage invalid because contracted with a person within the prohibited degrees of affinity. The Brehon law directly favoured such marriages, by the rule that a woman could not transmit the full right to her share of the tribal property, unless her husband was a member of the tribe.—See *Ancient Laws of Ireland*, Vol. IV., Int., cxvi.]



children, all his movable goods (his debts and servants' wages being first paid) shall be divided into three parts, one of which he shall bequeath to his children, another to his lawful wife, and the third to such uses as he shall declare. And if it shall happen that there be no lawful child or children, then his goods shall be equally divided between his wife and legatees. And if his wife die before him, then his goods shall be divided into two parts, of which the children shall take one, and his residuary legatees the other.

"*Seventh.* That those who depart this life after a good confession shall be buried with masses and vigils and all due ceremonies.

"*Finally.* That Divine offices shall be henceforth celebrated in every part of Ireland according to the forms and usages of the Church of England. For it is right and just that, as by Divine Providence Ireland has received her lord and king from England, she should also submit to a reformation from the same source. Indeed, both the realm and Church of Ireland are indebted to this mighty king for whatever they enjoy of the blessings of peace and the growth of religion; as before his coming to Ireland all sorts of wickedness had prevailed among this people for a long series of years, which now, by his authority and care of the administration, are abolished."

None of these resolutions refer to any question of doctrine. It is not asserted that the Irish Church, in point of doctrine, was different from the Continental. They all relate to questions of discipline, such as would naturally arise at a time when the monastic system of government was not altogether broken up, and the diocesan and parochial systems were not as yet firmly established. The first resolution of the council introduces the canon laws with regard to the prohibited degrees of affinity. The second regulates the mode of administering a sacrament. The third introduces the regular payment of tithes. As soon as the clergy ceased to be gathered together in self-supporting monasteries, it was necessary that some provision should be made for the support of an episcopacy and a parochial clergy, and the obvious means of meeting this requirement was the introduction of tithes, long since established in the rest of Europe. The fourth and fifth resolutions were rendered necessary by the introduction of parochial clergy. The

former of these was intended to protect them against the exactions of the tribal chiefs ; the latter, to remove them from the jurisdiction of the Brehon law, and to free them from the consequences of their blood relationship to members of the tribe. The sixth resolution introduces the right of testamentary disposition and distribution of intestates' properties.\* The eighth and most important regulates the rites of the Church, and declares the supremacy of the English king.

The English Crown found its most vigorous supporters in the aristocracy of the Catholic Church. Vivianus, the papal legate, in A.D. 1177 (?) held a synod of bishops in Dublin, in which he made a public declaration of the rights of the king to Ireland and the confirmation of the pope, and strictly commanded and enjoined both clergy and people, under pain of excommunication, on no rash pretence to presume to forfeit their allegiance. " And, inasmuch as it was the custom in Ireland for stores of provisions to be carried to the churches in times of trouble, for safe-keeping, the legate allowed the English troops engaged in any expedition to take what they found in the churches when they could not obtain food elsewhere, paying what was justly due for the care thereof to those who had charge of the churches." It does not appear that the English soldiers were required to make any payment to the owner of the goods.

A more remarkable interference by the Church on behalf of the English Government, on the occasion of the invasion of Ireland by Edward Bruce, will be subsequently noticed.

Henry returned to England, having accomplished the purpose of his expedition. He had curtailed the power of the first adventurers, obtained a nominal submission from the Irish chiefs, and enlisted the Church in his behalf. But his success had been obtained by a display of power, and, when that power was removed, his authority and influence fell to the ground. Upon the failure of his first designs, he adopted, as we shall see in the ensuing Chapter, an entirely different policy.

[\* And is utterly inconsistent with the pre-existing Irish law as to succession.]

## CHAPTER VIII.

---

### THE GOVERNMENT AND POLICY OF ENGLAND IN IRELAND FROM 1172 TO 1315.

LET us reconsider the position of Henry II. as regards Ireland. The first Norman adventurers had submitted to hold as his vassals the lands they had received by gift from King Dermot, and also those which they claimed by inheritance. The Irish chiefs had taken an oath of fealty, by virtue of which, in the king's opinion at least, they held the tribe lands as vassals upon the terms of feudal tenure. Remark how different was the king's conduct to each of these classes. He treated the Normans with insolence and distrust in the hour of their sorest need ; he called upon their followers to abandon them, and cut off all supplies from England ; he compelled Strongbow upon his knees to ask for pardon ; he deprived him of Dublin and the surrounding districts ; he threw into chains FitzStephen, the first adventurer, and received him into favour again only upon the terms of his surrendering Wexford and the adjoining country. Against the Irish chiefs, on the other hand, he waged no war ; he deprived none of them of their estates, and he sought in Dublin to dazzle them by his pomp, as he had previously intimidated them by his power. It is evident that the Normans, and not the Irish, were the objects of his fears. He dreaded the establishment of a Norman monarchy rather than the maintenance of Irish nationality ; and his apprehensions were well founded, for those who in Ireland subsequently strove to establish themselves in independence of the English king were not Celts, but Normans. The De Courcy, De Lacy, De Burgh, and the two families of Fitzgeralds, were the most active enemies of the English Crown.



This distrust of the Normans by the king is strikingly shown by what occurred upon the arrival of Fitz Adelm, the first viceroy. Raymond le Gros set forth to meet him and to do him honour. They met at the confines of Wexford, and what occurred is thus described by Cambrensis:—"Fitz Adelm seeing Raymond surrounded by so gallant a band, and beholding Meyler and his other nephews and kinsmen, to the number of thirty, mounted on noble steeds in bright armour, and all having the same device on their shields, engaged in martial exercises on the plain, he turned to his friends, and said in a low voice, 'I will speedily put an end to all this bravery; these shields shall soon be scattered.'"

The wars waged by Irish chiefs were essentially defensive; in the period we are now treating of, the Irish never united for national purposes; each chief in his own district sought to maintain a tribal independence and nothing more.

King Henry may have desired to find in the Irish chiefs a counterpoise to the Norman barons, and to play off one race against the other—the constant policy of English Governments; and in fact he was unable to do more. He had no standing army sufficient to attempt or complete the conquest of the island. We are accustomed to consider the feudal kings as possessed of great military power. In this we are misled by appearances. The outward show, the pomp of knights, the external splendour, mislead us. We mistake acts of violence for the exercise of real power. A feudal army could be rapidly gathered, and was available for the purpose of temporary defence or transient invasion; the soldiers served only for a limited term, did not possess the equipage or supplies necessary for a prolonged campaign, and disbanded as rapidly as they had been assembled. It was not in the power of a king at this period to collect an efficient mercenary army. His estates supplied him with the means of supporting numerous retainers, but afforded him no regular monied income. The supplies arising from customs or taxation were contemptible. At intervals he might obtain a subsidy of moderate amount; but when that was expended, he had to apply to an unwilling parliament for a repetition of the gift; add to this that the expenses of an army were then far greater than at present. The wages of a knight were equivalent to the present pay of a modern colonel; those of an archer equal to

that of a subaltern; for example, when Lord Lionel, the son of King Edward III., landed in Ireland, he received himself 6s. 8d. per diem, each of his knights, 2s.; each esquire, 12d.; each archer, 6d.; multiply these sums by 16, and you will have the value in present currency. It was therefore equally impossible for Henry II. to maintain a permanent army, and without such an army to retain any influence in Ireland.

For some reason, of which we are ignorant, Henry II. suddenly abandoned the policy he had at first adopted, and pursued one altogether different. It may be that the renewal of the war, upon his return to England, proved to him that his first design could not be executed. For the Norman adventurers to halt was equivalent to destruction; their safety depended upon continued aggression. The Irish chiefs had bowed before the first display of force as reeds before a blast; they yielded because they believed the king's force to be irresistible; when this force was withdrawn, they returned to their former independence; they were ignorant how ineffective a feudal army must prove in an uncultivated and rude country; they had miscalculated the force of the invader, and underrated their own powers of resistance; they had submitted to King Henry as to the many usurpers who for the last century and a-half had occupied the throne of Ireland, simply because he was the more powerful. When his power was removed, they were remitted to their original position. It may be that the king was overpowered by the pressing instance of fresh adventurers and favourites, whom he sought to provide for in a manner wholly inexpensive. Whatever be the cause, he identified the English Government with the party of the Norman invaders, and sought for the sovereignty of Ireland no longer by conciliation, but by conquest; but in so doing he took care not to increase the already threatening power of the first colonists; he granted out the country to fresh adventurers, who undertook to conquer and occupy it at their own expense, but as his subjects. He possessed an apparent title by gift of the pope, and the submission of the inhabitants—a title which he was utterly unable to enforce; they offered, in exchange for lands which the king did not possess, to wage war, and extend his dominions; but the peculiarity of the transaction was, that the king did not profess to confer lands which had been forfeited to him in consequence of

the treason of their owners, or which lay waste and unoccupied; the existence of the Irish people was absolutely ignored, and estates were granted, as if there had been no owners. A proceeding identical with this were the grants by the English Crown of tracts of lands in America to English adventurers. This arrangement was peculiarly advantageous to the Crown: if the adventurers succeeded, the English kingdom was extended; if they failed, so much the worse for them, and in a subsequent year fresh grants would be made to new speculators.

Take, for example, the grant of Meath from King Henry II. to Hugh De Lacy, A.D. 1172.\* “Henry King of England, &c., &c., to the archbishops, bishops, abbots, earls, &c., &c., French, English, and Irish of his whole land, greeting: Know ye that I have given and granted, and by this my present charter confirmed, to Hugh De Lacy, for his service the lands of Meath with all its appurtenances by the service of fifty knights to him and his heirs, to have and to hold from me and my heirs, as Murcardus Hu-Melachlin, or any other before or after him better held the same.”

De Lacy found Meath in the occupation of O’Rorke, whose defeat was a necessary preliminary to the enjoyment of the king’s grant.

As the Celtic people were ignored in these transactions, let us for a moment forget their existence, and consider the feudal system created in Ireland by the English Crown. The whole country was divided into vast districts to be granted to colonists, whose mutual jealousies were probably counted upon as the sole means of preserving the king’s pre-eminence.

We have seen that the district of Meath was conveyed to Hugh De Lacy. The lands comprised in this grant contained about 800,000 acres. The grant was made without any reservation to the king of judicial power, without any rent except the service of fifty knights. De Lacy obtained by this grant all sovereign powers, and was, in fact, constituted as *the king* in this district. It appears that during the reign of Henry II., Hugh De Lacy and his family after him actually held their courts therein, with cognizance and

\* This grant was made before Henry left Ireland, but was part of the policy subsequently adopted by him.



jurisdiction of all pleas, as well of burning, treasure trove, rape, and forestalling, as of all others arising within the land, with all officers, and their proper seals, &c., which cognisance and jurisdiction are distinctly stated to have been enjoyed by virtue of this grant.

The lordship of Leinster, which comprised several counties, had been claimed by Richard De Clare, by virtue of his intermarriage with the daughter of the King of Leinster; he obtained a grant of this district from King Henry II., which grant was confirmed, in 1207, by King John, to William Earl of Pembroke, who had married the only daughter of Strongbow.

The lordship of Ulster, comprising about one-sixth of the entire island, was one of the largest seigniories held under the Crown in England or Ireland. It was originally granted by Henry II. to John De Courcy, who enjoyed it as an earldom, with the same rights and privileges as were exercised by the De Lacys in Meath.

The largest district in the south, namely, that of Cork, was granted by Henry II. to Mylo De Cogan and Robert FitzStephen,

We have already seen that in 1175 Roderick O'Connor, the last King of Ireland, consented to hold Connaught as a vassal under the King of England; but this did not save that district from the assaults of Norman adventurers. Roderick had submitted to do homage and fealty to the King of England, and he was thereupon to hold the kingdom of Connaught, with the title of king, under him, "*Rex sub eo*," and that in as ample a manner as he had done before the coming of the English; nevertheless, the king, in open violation of the treaty which he had so recently entered into, and which it could not even be alleged was infringed in any respect by Roderick, in the year 1179 granted the entire province of Connaught to William Fitz Adelm\* and his heirs. Cathal, the son of Roderick, in the year 1206, surrendered two parts of Connaught to the king, and agreed to pay 100 marks yearly for the third part, which he was to hold in vassalage. Nevertheless, on the 12th of September, 1215, King John granted to William De Burgo the entire of Connaught, which was stated to be held by his father, at the yearly rent of 300 marks. This grant was confirmed in 1218

[\* De Burgo.]

by Henry III., with a proviso that it should not take effect until after the death of Cathal, who died in 1223. On the 12th of June, 1225, an order was issued directing the Lords Justices to seize the whole county of Connaught, then stated to be forfeited by O'Connor, and to deliver it to Richard De Burgo, at a fixed yearly rent, excepting certain lands near Athlone, which were reserved, it may be supposed, for the use of the garrison.

It may here be stated what was the subsequent devolution of these grants, as it is important to bear in mind for subsequent purposes in whom these several lordships vested.

1. On the death of Walter De Lacy, his son, Gilbert, succeeded, and had issue, Walter, Matilda, and Margaret. Walter died without issue, whereupon Meath became divided between his two sisters, one of whom, Matilda, married Geoffrey De Genvile, and the other, Margaret, married John De Verdon, Baron of Dundalk. The moiety of Meath acquired by De Genvile was called the Liberty of Trim: this lordship was carried into the family of the Earl of March, and, being inherited by the Duke of York, finally vested in the Crown.

2. The earldom of Leinster, like many other Irish estates, passed into a female line. Strongbow was succeeded by William Marshal, Earl of Pembroke, his son-in-law, whose five sons died without issue. Whereupon his estates were divided among his five daughters, or their husbands, as co-heirs. The county of Carlow was assigned to the Countess of Warrenne; the county of Kilkenny to the Earl of Gloucester; Wexford to John De Monte Caniso; Kildare to De Vesci; and the residue to Roger De Mortimer.

3. The seigniori of Ulster was regranted to Hugh De Lacy upon the attainder of De Courcy, and afterwards passed by inheritance into the family of De Burgo, in right of Matilda De Lacy.\* After the murder of the last male De Burgo, it was carried by his heirs to Lionel, son of Edward III., from whom it was inherited by the Earl of March; it descended afterwards to Richard Duke of York, whose son Edward becoming King of England, the earldom of Ulster merged into the Crown.

[\* Hugh De Lacy was created Earl of Ulster in 7th John, and the earldom passed to the De Burgos, apparently without any fresh creation, and as descendible to heirs general, in the reign of Henry III.]

4. The lordship of Connaught followed the same course as that of Ulster, and the title to it, but not the actual possession of it, passed to Lionel Duke of Clarence.

5. The kingdom of Cork ultimately formed the great estates of the Southern or Desmond Geraldines.\*

As to all these grants, it must be remarked that they were of a much wider nature than was usual in England, carrying with them to the grantees all power and privilege of the Crown, and originally constituting what are technically called counties palatine. The great grantees of the Crown proceeded to regrant the lands to subordinate vassals. It would appear that this was done in as full a manner as the estates had been granted to themselves; for example, in the year 1177 Hugh De Lacy granted the barony of Delvin to Sir Gilbert De Nugent in the following terms:—"I have given to Gilbert De Nugent and his heirs all Delvin, &c., &c., for the service of five knights, to be rendered in my land of Meath to him and his heirs freely and quietly, &c., &c., with all liberties and free customs which they have or ought to have." Similarly, FitzStephen conveyed to Philip De Barry lands in Cork, to hold by the service of ten knights as freely as FitzStephen held of the lord the king. In this manner the lords of Meath granted the lands of Skrine, Rathregan, &c., &c., and other lands now merged in the baronies of Slane, Dunboyne, Navan, Gormanstown, &c. The early Norman colonists did not merely confine themselves to the creation of subfeudatories; they also to a very large extent attempted to found municipal towns, and granted numerous charters in the hopes of attracting colonists.†

We have thus, in theory at least, and in view of strict English law, a complete feudal system established in Ireland; at the top stood the king, at the bottom the lowest vassal, and this legalised form of society presented a consistent form. But the feudal system as established in Ireland differed in important respects from that

[\* The two original grantees were, however, represented—Mylo de Cogan by the Lords Kinsale, and Robert FitzStephen by the Barrys, afterwards Viscounts of Buttevant and Earls of Barrymore.]

[† Thus Kilkenny and New Ross received their first charters from the great Earl Marshal. Galway and Clonmel were founded as towns by the De Burgos, Fethard by the Butlers, Athenry by the Berminghams.]



existing in England. It is usual for Irish writers to attribute much of the sufferings of Ireland to the misgovernment of England and the introduction of feudalism, whereas most of these evils may be referred rather to English non-government and to the peculiar anomalies of the Irish feudal system. The feudal system as introduced into Ireland, like most other institutions imported from England, was altered in such a manner as to retain all its evils, and lose all its advantages. The Crown in Ireland possessed no power of controlling its vassals. When William the Conqueror distributed the lands of England, he retained in his own hands a larger proportion of manors than he granted to any of his followers. He thus became himself the most powerful feudal lord in the country. Similarly, the early kings of France of the house of Capet held large estates in the Isle de Paris, and elsewhere in France, and thus were enabled single-handed to maintain their ground against any rebellious vassal. How important it was for a feudal king to possess resources of this description may be seen by the example of the German Empire, where the power of the kaiser, and consequently the peace and well-being of the entire nation, depended upon the accident whether the emperor was the owner of large hereditary states, or the representative of some petty principality. In Ireland there were no manor or valuable estates that the Crown could appropriate—the entire country had to be conquered; and as the Crown did not assist in the conquest, it received no part of the spoils. Thus we find the Crown had absolutely no demesnes of its own, and, being deprived of any military force of its own, it had to rely upon such of the great feudal vassals as might remain loyal for the purpose of crushing those who might be in rebellion. The inevitable result of this policy was to kindle a civil war and excite personal feuds in the attempt to maintain order.

Thus the feudal system in Ireland was deprived of the only force which could keep it in regular and harmonious working; like a machine without a fly-wheel, its movements became uncontrolled and irregular. It was, however, possible that the several grantees of large tracts of land from the Crown should have established themselves like petty princes, and occupied a position resembling that of the great vassals of the German emperor; but the jealousy

of the Crown towards its Norman vassals prevented this result. As I before remarked, the direct vassals of the Crown in Ireland were very limited in number—perhaps not more than six or seven. According to the strict theory of feudal law, these were the only vassals of the king, and they alone should have formed his council; as the king stood towards his immediate vassals, so they stood towards their sub-feudatories; as the king's vassals in chief were "impleadable" in his court, so the sub-vassals were in the court of their immediate lord; there should have been no legal relation between the Crown and the sub-vassals, except when they came to complain of the tyranny of the immediate lord; but no sooner had the Crown made to its first grantees the ample gifts which we have before mentioned than it proceeded to undermine their power, by putting itself in immediate relation with their sub-tenants. From the earliest period we find the Crown attempting to exercise authority over all the English inhabitants, whether holding mediately or immediately; for example, King John issued orders prohibiting recognitions to be made in any court except his own, and commanding that no person should be outlawed but in his, the king's, court. In his sixth year he directs writs to the barons, &c., of Ireland, acquainting them he had given power to his justiciary to issue writs throughout the king's whole land and dominion in Ireland. Parliamentary writs were directed by the Crown, not only to its own grantees, but also to their sub-vassals; and we find the Crown joining in and confirming grants made by its own vassals to their feudatories, thus ignoring the full effect of its own previous acts. Upon every occasion when any heir of a grantee sought a confirmation of the original charter, the extent of the original gift was cut down, by reserving to the Crown certain of the powers which had been granted by the former charter.

Had the Crown possessed any actual power, or seriously attempted to enforce law and order throughout the entire island, such proceeding might be evidence of an intelligent policy; but as the Crown possessed no force to give any sanction to the decrees of its courts, did not maintain any police, and was powerless in enforcing its authority, such a course evinced merely a desire to restrain the power of the greater vassals, and was, perhaps, caused by no higher motive than a desire to secure the emoluments then

arising from the exercise of justice; and arose rather from a blind imitation of the forms usual in England, than from any serious intention to fulfil the ordinary duties of government.

We have thus a feudal system, in which the Crown is powerless to fulfil its duties, yet active in preventing the greater nobles from exercising that influence which might have secured a reasonable degree of order. The whole energy of the nobles was turned away from government to war; and lest they should become local potentates, they were allowed to degenerate into local tyrants.

But what, meanwhile, had become of the Irish nation? As the feudal system ignored their existence, we have permitted them to fall out of our view; but they still existed, and still were politically independent. The invaders had occupied the flat country, suitable for the operation of their forces, and the original inhabitants had retired into either the mountainous districts, impassable to cavalry, or into districts protected by the bogs, and difficult of access; nay, even in some parts of the island, where the Normans were not in force, they had re-occupied large portions of the open country. They did not retire as disorganised fugitives, but the tribes retreated, keeping their social organisation unbroken; and, although removed from their original habitations, still preserved their social identity.

The remarkable point in the conquest was, that the Celtic population was not driven back upon any one portion of the kingdom, but remained as it was; interpolated among the new arrivals. The distribution of the two populations may be briefly sketched as follows:—The Normans occupied, in considerable force, the counties of Antrim and Down, in Ulster; in Leinster, the counties of Louth,\* Meath, Dublin, Kildare, and the greater portion of Westmeath, were densely colonised by Normans and Saxons; southward, the colonists occupied, in a narrow line, portions of the King's and Queen's Counties; and Carlow; they held the counties of Kilkenny and Wexford, and the eastern part of Munster; they occupied Limerick and the adjoining districts, and their castles extended to the mouth of the Shannon. In Connaught, the territories of the De Burgos stretched from Galway northward and eastward over the

[\* Then part of Ulster.]



plain portion of Connaught, and communicated through Athlone with their countrymen in Leinster. On the other hand, the residue of Ulster was occupied by the O'Neils and O'Donels, and their subordinate tribes. South of them extended the districts of the O'Farrells, the O'Reillys, and O'Rorkes. In Leinster, the O'Tooles and O'Byrnes occupied the mountains of Wicklow, and the Carlow and Kilkenny hills were in the hands of various tribes, of which the chief was the M'Murroughs, subsequently known as Kavanaghs. The west of Munster was strongly held by the Mac Carthys and their subordinate tribes; Clare was occupied by the O'Briens; the western coast beyond Lough Corrib remained in the possession of the O'Flahertys, and the north-east of Connaught was under the control of the O'Connors.\*

The Celtic population possessed no definite legal position, filed no place in the feudal hierarchy, and was in the eyes of the English Government hostile and alien; the only exception to this was the case of the O'Briens, who, though not actually feudal vassals, had their estates secured by a charter, and five Irish families, through some unknown reason, were considered as the king's men and entitled to his protection; these were known as the five bloods, who enjoyed the law of England to the extent of the privilege to sue in the king's courts, viz., O'Neill, O'Molaghlín, O'Connor, O'Brien, and M'Murrough.†

Let us now consider, in accordance with the ideas of law then prevalent, what was the legal position of the mass of the Irish people. It is a modern idea that the king's courts or any courts are open to the complaints of or against any person found within their jurisdiction. The feudal courts were held to decide the rights of the vassals of the lord; the municipal courts to adjudicate upon the suits of the members of the corporation.

Those who were not entitled to appeal to those courts had technically no *locus standi* there; they were strangers whose existence was altogether ignored by the courts unless they claimed protection by virtue of some specific treaty, or by way of reciprocity. The principle, strange to a modern audience, must be familiar to

[\* See Note I., at end of chapter.]

[† See Note II., at end of chapter.]

all those acquainted with the origin of Roman law or mediæval customs. Let us suppose that the Celtic people had been driven into a definite district, and were treated as a foreign and independent nation: the principles thus applicable to such a state of things are laid down in the eighth chapter of the First Book of Cibrario, Political Economy of the Middle Ages:—"Christianity for the first time proclaimed the idea of a human society, all the members of which are brethren, and possess the same origin and a similar destiny; but the contrary idea, which caused every stranger to be considered an enemy, or at least as unworthy to participate in the advantages of the social state, had such profound roots in public opinion, that the sublime philosophy of Christianity experienced much difficulty in causing the consequences of its doctrines to be generally adopted. Among the Greeks every stranger was called a barbarian, and put beyond the pale of common right. Among the Latins the word 'hostis' signified at once a stranger and an enemy; the Germans called such 'wargengus,' a wanderer; the Anglo-Saxons, a 'wretch,' as worthy of pity. After this we must not be surprised if strangers were declared incapable of acquiring or succeeding to property; if, on their death, their goods were confiscated; if the tribunals in very many countries could not protect their rights against a member of the city; if they became serfs, when they fixed their residence upon the lands of a lord without authorisation. It is true that the contrary principle gradually insinuated itself into the habits and laws of nations; under the name of hospitality, the Burgundian laws desired that none should refuse a stranger lodgment, fire, or water, &c., &c. In some places they admitted the right of reciprocity; the stranger was treated as strangers were in his country.

"From these principles, framed for the purpose of creating isolation, had flowed another maxim, which, in the case of strangers, rendered all the members of the same city responsible for the acts of any one of their citizens (*solidaires*); hence arose frequent complaints by one State against another for debts, for wrongs, for injuries caused to the member of one State by the members of another. If the slightest negligence was shown in repairing the damage, letters of reprisal were issued to the injured citizen, that is to say, he was given full liberty of himself and by force to levy full damages

upon the persons and property of citizens of the State to which the offender belonged."

The Irish in Ireland were treated by the king's courts in Ireland as an alien and hostile nation; an Irishman out of the king's peace could not bring an action against an Englishman; for example, in the 28th Edward III., Simon Neal brought an action of trespass against William Newlagh, for breaking his close at Clondalkin, in the county of Dublin; the defendant pleaded that the plaintiff was a mere Irishman, and not of the five bloods. The plaintiff replied he was of the five bloods, viz., of the O'Neills of Ulster, who by the grant of the ancestors of our lord the king ought to enjoy and do use English law, and are esteemed "freemen," that is "men of the king." Again, in 29th Edward I., Thomas Botter brought an action against Robert D'Almaine for certain goods; the defendant pleaded he was not bound to answer the plaintiff, inasmuch as he was an Irishman, and not of the five bloods. The plaintiff replied he was an Englishman, and sought for an inquiry as to his country.

Likewise the Irish were treated as being beyond the protection of the king's peace, so that it was no legal offence to kill one of them; thus, in the 4th of Edward II., at Waterford, before John Wogan, Lord Justice, it is recorded that Robert La Waylys was put to trial for the death of John, the son of Ivor MacGillmory, &c., &c. The defendant comes and admits that he had killed the said John; however, he says that by so slaying him he could not commit felony, because he says he was a mere Irishman, and not of the five bloods; and when the lord of the said John (whose Irishman the said John was) shall desire compensation for the death of the said John, he, Robert, will be willing to settle with regard to such compensation as justice may be; and upon this comes one John Le Poer, and on the part of our lord the king, says that the said John and his ancestors of his own name, from the time that Henry II. was in Ireland unto this day, ought to have and be judged according to English law; and then sets out a charter of denisation granted to the Ostmen.

Again, in the 29th Edward I., before Walter Lenfant and the other Justices Itinerant, at Drogheda, John Lawrence was indicted for the murder of Galfred Doudal: He came and admitted that he



had killed him, but said that the said Galfred was a mere Irishman, and not of free blood. The jury found that Galfred was an Englishman, upon which verdict John Lawrence was convicted and hanged.

As to the right of reprisals exercised against the Irish tribes, we may refer to the 10th Edward IV., 1476, when it was enacted that if any Englishman be damaged by an Irishman not amenable to law, he shall be reprised out of the whole sept or nation of the party doing the injury, according to the discretion of the chief governor of the land and the king's council. In consequence of these principles of legislation, we find numerous charters of denisation granted by the Crown from time to time to Irishmen, as if they were actual foreigners.

We are ignorant how an Englishman would have been treated if he had wandered into the districts occupied by the Irish tribes; but it may be presumed that similar principles were used upon both sides.

The peculiarity of the state of affairs in Ireland was not that the legal principles adopted were unusual, but that ordinary admitted principles were applied under exceptional circumstances. Rules of law, which were harsh and mischievous enough when applied in the case of two distinct nations, became extravagant and tyrannical as between Normans and Celts, neighbours inhabiting the same district.

But, though legally ignored, the Irish tribes could not be politically disregarded. The English Government used their assistance to repress the rebellions of insurgent vassals. The viceroy used the assistance of the O'Connors to check the growing independence of the De Burghs. They were called on to furnish assistance to the English armies, and on many occasions we find their chiefs summoned by writ of Parliament, as if feudal vassals; but the mode in which they were treated depended upon the immediate objects and want of the English Government, and the general course of conduct pursued towards them was such as has been previously stated; and, as contributing to the extension of royal influence, every Anglo-Norman noble was permitted to wage war upon them to the best of his ability, and as suited his convenience.

We must now briefly consider the condition of the Church in Ireland. The archbishops and bishops who assembled at Cashel

in 1172 were the warmest supporters of the English king, and a close alliance was, as we have seen, formed between the foreign government and the authorities of the Church ; but the alliance of the Church rapidly became useless, from the mode in which the appointments to bishoprics and other clerical offices were filled up. A Norman priest who spoke only the French language, or perhaps a little English, could exercise no influence over the Irish-speaking population ; an Irish priest who spoke no French would have been despised by a Norman noble. Both classes of the population required a separate priesthood, and we consequently find the Church divided between the priests and monks who spoke English or spoke French, and those who spoke merely Irish. The monasteries within the English districts refused to receive Irish-speaking monks ; the monasteries of the Irish district expelled the English monks, and the distinction of English and Irish priests extends down into the middle of the sixteenth century. The appointments made by the English Government to bishoprics were as a rule Normans ; the series of archbishops of Dublin, in point of ability and position, equals that of any English bishopric ; but the archbishops of Dublin were as a rule Normans. They were employed in high state offices and embassies by the English kings, were conspicuous in English history, and, in fact, devoted their talents to every duty except that of their archbishopric. On the other hand, a bishop who came closely in contact with the Irish people tended to fall into their habits, and abandon his position as an English prelate. For example, the Bishop of Down was, in the reign of Edward I., tried and convicted for the following offences :—1st. That he had combined with M'Melissa, Archbishop of Armagh, in issuing certain regulations in his diocese, for the purpose of excluding English monks from the monasteries ; 2nd. That upon the Church lands he had administered justice, not according to English, but to Irish law. In 1297, the Crown having sent to the convent of St. John, at Down, a letter of licence to elect its nominee as abbot, the same bishop broke into the convent and carried off or destroyed the king's letter, appointing of his own authority his own nominee as abbot.

The Church in Ireland was thus divided into two factions, not differing in doctrine or discipline, but hating each other with a national animosity.

It is needless to refer to the numerous English laws against the admission of Irish clerks. The Irish clergy were equally exclusive. In the 15th Edward II., it appears that there existed in Mellifont the custom that none should be admitted into the house without giving proof that he was not of the English race. As the abbey of Mellifont was in shire land, it may be suggested that this regulation applied only to those born in England.

Previous to this date M'Melissa, Archbishop of Armagh, and Nicolas, of Down, seem to have combined for the purpose of excluding English clerks from the monasteries in their dioceses.

"In 1325," writes Friar Clynn, "there was discord almost universally among all the poor religious of Ireland, some of them upholding, promoting, and cherishing the part of their own nation, blood, and tongue; others of them canvassing for the office of prelates and superiors."

The alliance of the Church, under these circumstances, afforded the English Government but little assistance. The Norman and English prelates were devoted supporters of the English Crown, but failed to exert any influence over the native population.

We thus find the English and Irish races hopelessly at variance, and it would seem that one or other must have been crushed out in the contest; but such was not the result; they both survived, and, contrary to reasonable expectations, the Irish exhibited the greater vitality.

The expulsion of the English colony was an effort beyond the power of the disunited Irish tribes; for in the darkest hours of the English settlement the power of England was ready, by some sudden effort, to reassert the English supremacy.

But why did the Anglo-Normans wholly fail to subdue the Irish? From the facts stated in this and the preceding chapter, the reasons of their failure may be suspected. I should briefly state them as follows:—1. The large extent comprised in the grants made to the first colonists led to a dispersion of the Norman nobles over the more fertile portions of the country. The English colony never formed one compact body capable of combined action. The lordship of Ulster communicated with Leinster through the passes of the Mourne Mountains. The English in Leinster communicated with those in Connaught by the difficult route of



Athlone. The road to Kilkenny and Carlow was threatened by the Irish tribes of the Wicklow Mountains, and the woody and boggy country to the west. The settlers in Wexford were practically isolated, and the communication with the southern Geraldines became difficult at an early period; the districts also occupied by the English were sparsely populated by the colonists—they had never been altogether abandoned by the original inhabitants, and were never fully occupied, with the exception of Meath, by English colonists. Under these circumstances the English occupied a position affording little means for successful aggression, and utterly incapable of regular defence. The efforts of any of the scattered portions of the colony, however successful, did not tend to drive back the Irish population, or coop them up in any particular district. The tribes defeated in one quarter would be thrown back upon another portion of the English colony, and the ultimate conquest of the island remain as incomplete as ever.

2. The military equipment of the Normans, and their mode of carrying on war, rendered their forces wholly inefficient, when, leaving the flat country, they attempted to penetrate the fastnesses of the native tribes. The unsuccessful expedition of Richard II. was a remarkable instance: the archers were ineffective in a closely-wooded country; the heavy cavalry could not be moved on the boggy ground; the infantry were worn out by cutting passes through the woods, and one of the largest armies which ever invaded Ireland failed to subdue the counties of Wexford and Carlow, and, after great sufferings, scarcely escaped by sea.

The remarks of Giraldus upon the two preceding reasons are so much to the point that I quote them at length:—

“The Normans, who are newly come among us (*viz.*, the first Welsh-Norman adventurers), may be very good soldiers in their own country, and expert in the use of arms and armour after the French fashion; but everyone knows how much this differs from the mode of warfare in Ireland and Wales. In France war is carried on in a champagne country—here it is rough and mountainous; there you have open plains—here you find dense woods; in France it is counted an honour to wear armour—here it is found to be cumbersome; there victories are to be won by serried ranks and close fighting—here by the charge of light-armed troops;

there quarter is given, prisoners taken, enemies admitted to ransom—here their heads are struck off as trophies, and no one escapes. Where armies engage in a plain country, heavy and complex armour, whether shirt of mail or coat of steel, is both a splendid ornament of the knights and men-at-arms, and is also necessary for their protection; but where you have to fight in close passes and in woods and bogs, in which foot-soldiers are more serviceable than horsemen, a far lighter kind of armour is preferable. In fighting against naked and unarmed men, whose only hope of success lies in the impetuosity of their first attack, men in light armour can pursue the fugitives. The Normans, with their complex armour and their deeply-curved saddles, find great difficulty in getting on horseback and dismounting, and still greater when occasion requires that they should march on foot. . . .

“Moreover, the part of the country on this side, as far as the river Shannon, which forms the boundary between the eastern parts of the island and the western part, should be protected by strongly fortified castles, built in different places; and further, in the meantime, let all the country beyond the Shannon, including Connaught and part of Munster, be subjected to annual tribute, except the city of Limerick, which should by all means be recovered and occupied by the English; for it would be better, far better, to begin with building fortresses on suitable situations, proceeding by degrees to construct them, than to erect a great number at once in a variety of places at a great distance from each other, where they would be entirely disconnected, and could afford no mutual aid in time of need.”

We may observe in this last passage a kind of foreshadowing of the system adopted by Cromwell in Ireland.

3. From the absence of any central government, civil wars continually arose between the several Norman lords; thus the military power of the colonists was frittered away in dissensions, in which each belligerent was but too willing to avail himself of the assistance of the adjoining Irish, who profited by the disasters which befell either of the combatants.

4. The English Government continually called upon the Irish barons for aids and military service, to be employed in wars elsewhere than in Ireland. For example, in the 38th Henry III., a

writ is issued to Maurice Fitzgerald, respecting the army of Christians and Saracens who were hastening to the invasion "of the king's dominions in Gascoigne, and who would thereby obtain an entry into England and Ireland; for this reason he is desired to come with all his friends to the king in Gascoigne, so that they be at Waterford against Easter, ready to embark with horses, arms, and soldiers, for never in future time can their aid in counsel be so required as at present." The forces of the Irish barons were used for the purposes of the Scotch wars. Edward I., in 1295, issued a writ to the Justiciary, requiring him to raise a certain number of horsemen, and 10,000 foot, who were to be fully accoutred, and sent over for service in England. Money was also frequently raised from Irish parliaments, which we may assume was spent by the king for purposes he deemed more pressing than the completion of the conquest of Ireland.

5. Many of the estates of the Norman nobles descended to heiresses, who married Englishmen already possessing estates in England: hence arose absenteeism, the evils of which at the period of which we are now treating were altogether different from its present results.

An Irish estate then afforded no pecuniary income; it involved duties, but no emoluments. The lord was enabled by the aid of his personal retainers, whom he supported, at least to hold his own against his Irish neighbours; but no English nobleman was willing to abandon his secure possessions in England to fulfil irksome duties in a then barbarous country. The absence of the lord with his retainers would leave the castles vacant, and it became necessary for him to employ a permanent garrison. As has been already observed, the pay of English troops was then exorbitant; but, on the other hand, Irish gallowglasses could be retained at a comparatively trifling expense. As a natural consequence, the castles of the absentee lords soon became exclusively garrisoned by Irish mercenaries, commanded by an Irish seneschal, both of whom, governor and garrison, revolted upon the first favourable opportunity: for example, in Clyn's Annals we find:—"1342—obiit Laysert O'Mortho, vir potens, dives, et locuples, et in gente suâ honoratus. Hic fere omnes Anglicos de terris suis et hereditate violenter ejecit, nam uno sero viii castra Anglicorum combussit et



castrum nobile de Dunmaske (Dunamase) Domini Rogeri, de Mortuomari, destruxit et dominium sibi patriæ usurpavit, *de servo dominus, de subjecto princeps effectus.*”

“In the year 1342 died Leysert O’Moore, a man powerful, wealthy, rich, and honoured in his own tribe. He, by force, thrust out almost all the English from his lands and inheritance, for in one night he burned eight English castles, and destroyed the noble Castle of Dunamase, the property of the Lord Roger Mortimer, and acquired for himself the lordship of his country, having made himself lord instead of serf, prince instead of subject.”

6. Even the lords who resided constantly upon their Irish estates, gradually lost their Norman habits, and tended to assimilate themselves to the manners, and to adopt the language, of the Irish. Irish writers are fond of attributing this to some peculiar fascination which the tribe life of the natives possessed, to the charms of their society, and the gentleness of their character. No such explanation is necessary. Separated from their countrymen in England, living in isolated castles, and necessarily brought into contact with the natives, the associations and prejudices, which are the strength of a dominant aristocracy, were gradually enfeebled. The utmost hostility cannot exclude many occasions of social intercourse. Foreign intruders, unless they can establish themselves as a dominant aristocracy, must gradually be fused into the mass of the conquered race. Thus arose intermarriages and fostering, which seduced the Normans from their original allegiance, and taught them to regard their Celtic neighbours as friends and compatriots rather than hereditary enemies. The strict law and feudal obligations which bound the feudal vassal to his superior seemed irksome when contrasted with the complete freedom of a Celtic chief. To throw off the mail, to don the saffron, to become the leader and ally of his former enemies, was the obvious course by which a Norman lord could escape from the oppression of his feudal superior. But even the obstinate Norman found it difficult to preserve his nationality. An Irish tribe resembled a movable column. Its integrity and existence did not depend upon the maintenance of any town or castle. If overpowered by the enemy, it abandoned its village of cabins, and plunged deeper in the natural fastnesses of the country; it might be exterminated, but was incapable of

conquest. On the other hand, if the vigilance of the Norman castellan relaxed for a moment, the ever-watchful enemy broke in upon his estates; his crops were destroyed, and flocks driven off before the feudal levy could be got together for resistance.

Colonists in the position of the Anglo-Norman settlers, if they fail to reduce the native population to serfdom, require a permanent armed force for the purpose of protection—a truth which the bitter experience of modern colonists has abundantly proved; but the feudal system afforded no force of such description. The vassals served for stated periods, and according to the rules of their tenures, and being agriculturists, objected to being harassed by perpetual summons to arms. A permanent force was an absolute necessity to the lord; his vassals failed to supply this want, and, as before explained, the expense of English mercenaries was excessive. As a natural consequence, the resident lords also fell into the habit of employing mercenary gallowglasses. Irish followers exhibited greater personal devotion and obedience than feudal vassals, and were maintained at a cost insignificant as compared with English soldiery. But even for their maintenance the legitimate revenue of the lord was insufficient; to supply them, the feudal tenants were oppressed by exactions hitherto unknown. The Irish retainers were quartered upon them—a practice borrowed from the Irish chiefs; but in this case imposed upon a people to whom it was distasteful, and seemed unjust, and exercised in the most irregular and oppressive manner. Under these circumstances, the smaller English freeholders in great numbers abandoned their lands, and returned to England. Their deserted farms were occupied by Irish retainers, and the English settlers, thus gradually weeded out, were replaced by the original occupiers.

The position of the Norman lord himself became strangely altered; instead of occupying a definite place in a system, with his duties to his superior and rights over his inferiors, he became the irresponsible leader of devoted followers, who knew no law but his will. The peculiarities of this state of things would be exhibited upon the death of the lord, if his heir, according to English law, were a minor or a woman. According to English ideas, the estate would in such case pass to a minor heir or the heiress, and the Crown would exercise the rights incident to its feudal superiority.

But what was the estate? The original estate had disappeared, and for it there had been gradually substituted "*a tribe*," of which the original mercenaries formed the popular element, and the family of their first employer the ruling house. If the Crown attempted to enforce its feudal rights, or supported the claim of the minor heir or heiress, a district originally held by feudal tenure was suddenly converted into Irish tribe land. Bearing these considerations in mind, we can easily understand why the English law frequently denounced the keeping of gallowglasses, and quartering them upon the country (coigne and livery), as amounting to acts of treason.

7. The Irish Channel, although wide enough to check colonisation, and render military expeditions to Ireland difficult and costly, afforded no insuperable obstacle to the passage and return of those who repaired to Ireland to seek their fortune, or who, having failed there, desired to return to England.

Hence the constant arrival of fresh adventurers, who sought by grants from the Crown and legalised plunder to repair their fortunes, but rarely desired to make Ireland their permanent home. Unprincipled foreign speculators and beggarly court favourites afflicted Ireland, and were the instigators of and sharers in the constant confiscations of the estates of Norman and Celt alike. These new English arrivals arrogated to themselves the name of "English," treating their brethren who had the misfortune to have been born in Ireland, as an inferior class. To gratify the former class, and to mortify the Irish English, in 1341 Edward III. resolved to resume into the hands of the Crown all lands, tributes, seignories, and jurisdictions which he or his father had granted in Ireland (1341). In the following year (1342) Desmond and the confiscated lords at Kilkenny asked of the king the parliament questions, "How an officer of the king, who entered very poor, could in one year heap up more wealth than men of great estates in many?" and "how it chanced, since they were all called lords by their own, that the sovereign lord of them all was never the richer for them?" In 1361 Lionel, Duke of Clarence, arriving with an English force, by proclamation forbade any of the old English to join his army or approach his camp. Bitter animosities arose between the English by birth and the Irish English; the



former were nicknamed "English hobbies;" the latter styled "Irish dogs." Such dissensions tended to enfeeble the power of the English colony, and to render the original settlers less unwilling to amalgamate with the natives.

These various causes of the failure of the Anglo-Norman colonists did not come into full operation until the fourteenth century. At the close of the reign of Edward I., the English influence was predominant in Ireland; but its system, political and social, was utterly rotten, and even without foreign interference, could not have been permanently maintained.

It was shivered to pieces by the Scotch invasion of 1315, which, with its consequences, will form the subject of the succeeding chapter.

---

## NOTES TO CHAPTER VIII.

---

### NOTE I.

AT the time of the greatest extension of the Anglo-Norman power in Ireland, the following counties had been created :—For Ulster, the counties of Antrim, Down, and Uriel, or Louth ; in Leinster, the counties of Meath, Dublin, Kildare, Carlow, Wexford, and Kilkenny ; in Munster, all the present counties except Clare ; and in Connaught, the counties of Connaught (now represented by the county of Galway), and Roscommon. It must not be supposed, however, that all the land within these counties was in the hands of the Normans. All, or almost all, contained tracts which remained in the hands of the native Irish, *e.g.*, in the county of Dublin, the territory which was, in the reign of Elizabeth, erected into the county of Wicklow, and in many the portions which the Normans occupied were very small.

---

### NOTE II.

This special privilege given to the five bloods was possibly given to them in some sort of recognition of the fact that they were, or claimed to be, the royal races of the five Irish kingdoms—O'Neill, of Ulster ; O'Molaghlín, of Meath ; O'Connor, of Connaught ; O'Brien, of Munster ; and M'Murrough, of Leinster.

## CHAPTER IX.

---

### THE INVASION OF BRUCE, AND THE STATUTE OF KILKENNY.

AT the commencement of the fourteenth century the position of the Anglo-Norman colony in Ireland seemed unassailable; so far from requiring constant aid from England, large supplies of men and arms were furnished from Ireland for the war in Scotland. The most important military commands were held by members of the Norman-Irish houses. But in this century commenced a series of events which, in the space of fifty years, overthrew the supremacy of the English Crown, and compelled it to abandon its aggressive attitude towards the Celtic population, and adopt a purely defensive policy.

The most important event from the date of the English so-called conquest, to the commencement of the Tudor government in A.D. 1534, is, undoubtedly, the invasion of Ireland by Edward Bruce, in A.D. 1315. In the tedious recital of aimless civil war which encumbers the history of Ireland, the peculiar bearing of this event has been overlooked; but it undoubtedly constituted the turning-point in the history of this country, and accelerated the collapse of the feudal government.

The result of the national struggle in Scotland could not but react upon Ireland. The Celtic population were encouraged to aim at national independence by the success of the Bruce, and the prestige of the English Crown was seriously diminished. On the other hand, interference in Ireland was the natural policy of the Scottish king. It was his obvious interest to cut off the supplies drawn by England from this country, and to establish his brother in an independent sphere of action. The victory of Bannockburn placed the



Crown of Scotland upon the head of Robert Bruce, the last successful Norman adventurer ; but, in the protracted struggle with England, the younger brother had exhibited equal vigour and perseverance, if not equal ability. Edward Bruce could scarcely sink into the position of a vassal, and he might have proved a formidable rival. Under these circumstances, the native Irish chieftains and the Scottish king easily came to an agreement in their common design of expelling the English, and placing the Crown of Ireland upon the head of Edward Bruce.

The complaints and desires of the Irish chiefs are fully set forth in their celebrated letter to Pope John XXII., one of the most important documents in our history.\*

“ To our most Holy Father in Christ, the Lord John, by the grace of God Supreme Pontiff, his attached children, Donald O’Neyl, King of Ulster, and rightful hereditary successor to the throne of all Ireland, as well as the princes and nobles of the same realm, with the Irish people in general, present their humble salutations, approaching with kisses of devout homage to his sacred feet.

“ Lest the bitter and venomous calumnies of the English, and their unjust and unfounded attacks upon us, and all who support our rights, may in any degree influence your mind (though Heaven forbid it should do so), or lest circumstances unknown to you, and made by them the subject of misrepresentation, may seem to require some correction at your hands, as though their statements were fully in accordance with the truth ; with loud and imploring cry we would convey to your holy ears, in the contents of the present appeal, an account of our first origin, and of the condition in which our affairs at this moment stand ; and also of the cruel injuries to us and our forefathers, inflicted, threatened, and to the present hour continued, by successive kings of England, and their wicked ministers, and Anglican barons of Irish birth ; that so you may have it in your power to examine into the particulars of the case at issue, and thus to discern for yourself which party it is that has been compelled by real grievances to raise a clamour. And then shall it be for your judgment, after careful and satisfactory

\* The original is contained in the *Scotichronicon* of Fordun, sub anno 1318. An English translation is to be found in King’s *Primer of Church History of Ireland*, supplemental vol., Appendix xix.

inquiry into the matter, to determine, according to the character of the evidence brought before you, what punishment or correction should visit the offences of the delinquent party."

The complainants then set out the ancient independence of the Irish realm, the piety and virtue of its native princes, and trace their subjugation and misery to the unrighteous obsequiousness of Pope Adrian in granting the kingdom of Ireland to Henry II. To the Papal Bull of A.D. 1172 they attribute the sufferings and misery of their country, and state, as an undoubted truth, that, in consequence of that fatal grant, upwards of fifty thousand persons of both nations had perished by the sword, independently of those who were worn out by famine, or destroyed in dungeons. They assert that the terms upon which the Bull was granted had been constantly violated by the English kings. "For the territories of the Church are so curtailed, narrowed, and mutilated by them, that some cathedral churches have been plundered of a moiety, and more than that, of their lands and property, while ecclesiastical privileges of every kind are, for the most part, entirely abolished by those individuals here spoken of. And our bishops and prelates are indiscriminately summoned, arrested, seized upon, and imprisoned by the ministers of the King of England in Ireland; and though suffering, as they do, such constant and serious injuries, they are yet so *strongly influenced by such slavish timidity, that they never venture to bring before your Holiness any representations concerning them.* In consequence of such *scandalous silence* on their part, we are also disposed to refrain from any further observation on this topic."

As regards the conduct of the English Government towards the natives, the complainants state:—"They have also deprived them of their written laws, according to which they had been governed for the most part in preceding times, and of every other law, excepting that with which they could not be forced to part; introducing meanwhile, with a view to the extermination of our people, infamous laws of the most abandoned and unprincipled character, some of which, by way of example, are here inserted; and those which we subjoin are inviolably observed in the Court of the King of England and Ireland, viz.:—

"1. That permission is given to every person who is not Irish,

to summon at the law any Irish person, in any sort of action whatsoever. But every Irishman, whether he be clerk or layman, the prelates alone excepted, is *ipso facto* excluded from commencing any action whatsoever.

“2. Further, as it very constantly happens, whenever any Englishman, by perfidy or craft, kills an Irishman, however noble, or however innocent, be he clerk or layman, be he regular or secular—nay, even if an Irish prelate were to be slain, there is no penalty or correction enforced in said Court against the person who may be guilty of such wicked murder; but rather, the more eminent the person killed, and the higher the rank which he holds among his own people, so much the more is the murderer honoured and rewarded by the English; and not merely by the people at large, but also by the religious and bishops of the English race; and, above all, by those on whom devolves officially the duty of inflicting on such malefactors a just reward, and equitable correction for their evil deeds.”

These first two heads of complaint refer to the fact that the king's courts exercised no jurisdiction, either to maintain the rights or punish the wrongs of Irish aliens, the origin of which apparent anomaly has been explained in a preceding chapter.

“3. Furthermore, every Irishwoman, whether of noble rank or otherwise, who marries any Englishman, is deprived, on her partner's death, merely because she is an Irishwoman, of the third part of the landed property and other effects which belonged to her deceased husband.”

The meaning of this section appears to be that, inasmuch as the intermarriages of feudal tenants with women of Irish birth, was forbidden by English-Irish Statutes, the courts did not admit such marriages as legal, and rejected the widow's claim to dower. At this period, questions as to the personal estate of intestates could not have come before the king's courts, but would have been subject to the jurisdiction of the ordinary.

“4. Again, these English, whenever they can compass the destruction of an Irishman by violent means, will not by any means allow such Irishman to dispose of his own property by his last will or testamentary arrangement of any kind. But on the contrary, they make their own of all his goods, depriving the Church of her



just rights, and by their violence reducing, on their own authority, to a state of bondage the blood which flowed in freedom from the days of old."

The Irish, in this complaint, show how little the English Common Law was understood by the native Celts. No feudal vassal at this period had a power of disposing by will of real estate. The principle of English law here referred to is evidently the attainder of those who were executed as traitors or felons, whose blood was corrupted, so that heirships could not be traced through them, and whose property was forfeited to the Crown.

Their fifth cause of complaint was the exclusion of Irish ecclesiastics from religious houses, as to which they cite a Statute alleged to have been lately passed at Kilkenny—viz., "It is ordained that all the religious who dwell in the land of peace among the English are prohibited from receiving into their order or form of religion any excepting such as are of the nation of the English."

As to this complaint, it may be observed that it dealt only with the religious "who dwell in the land of peace among the English," and was not aimed at monastic institutions situated in tribal territory; and further, that in the Irish monasteries the English seem to have been reciprocally excluded.

The complainants then state that the Anglo-Normans in Ireland were guilty of constant acts of cruelty and perfidy, "for they have kept up ever since the days of old this wicked and unprincipled usage, which is not even yet falling into disuse amongst them, but, on the contrary, gaining every day new strength, and becoming more inveterate—viz., that when they invite to an entertainment some of the nobles of our nation, at the very time of repast, or during the hours devoted to rest, they will shed without mercy the blood of the unsuspecting guests whom they have invited, terminating in this way their abominable feasts." Five instances are cited in proof of this assertion, one of which does not appear apposite, and in three of the remaining four the victims were Normans, not Irish.

They further allege that the laity were supported in these outrages by the clergy, who openly asserted that it was no sin to slay an Irishman.

"For it is not merely their lay and secular persons, but even

some of the religious among them too, who are asserting the heretical doctrine that it is no more sin to kill an Irishman than a single dog or any other brute animal. And in confirmation of this heretical opinion, some of their monks audaciously affirm, that if it were to happen to them, as it often does happen, that they should kill an Irishman, they would not for this refrain from the celebration of the mass even for a single day. And accordingly what they preach in words is unhesitatingly and shamelessly put in practice in their deeds, by the monks of the Cistercian order of Granard in the diocese of Ardagh, and also by the monks of the same order belonging to Inch in the diocese of Down. For making their appearance publicly in arms, they invade and slaughter the Irish people, and yet celebrate their masses notwithstanding."

After stating that a warm appeal had been made to the English king through the Bishop of Ely for the removal of these grievances, and that they were resolved to enforce their rights by the sword, they proceed thus:—"In order to effect our object in this behalf with more promptness, and in a dignified manner, we are inviting to our aid and assistance Edward De Bruce, the illustrious Earl of Carrick, brother german of the most illustrious Lord Robert, by the grace of God King of the Scots, and descendant of some of the most noble of our own ancestors. . . . May it please thee, therefore, most Holy Father, out of a regard for justice and the public peace, mercifully to sanction our proceedings relative to our said lord the king, prohibiting the King of England and our adversaries aforesaid from further molestation of us. Or, at least, be graciously pleased to enforce for us from them the due requirements of justice."

No answer was returned by the pope to this appeal—at least no such document appears in Theiner's collection of Letters and Bulls relative to Ireland, lately published by authority of the Holy See; but the original document, with a copy of Pope Adrian's Bull, was forwarded by the pope to Edward II., together with a letter containing the following passage:—"We therefore, by these presents, earnestly beg of your royal excellency . . . that you will take these matters into your calm, deliberate consideration, and confer upon them with your discreet council, and in this way proceed to command and enforce a just and speedy correction and

reform of the grievances aforesaid; . . . so that those Irish people, following more wholesome counsels, may *render you the obedience due to their lord*, or if (which Heaven forbid) they shall be disposed to persist in foolish rebellion, they may convert their cause into a matter of open injustice, while you stand excused before God and man."

Without waiting for further communication either from the king or the Irish, the pope issued Bulls to the Irish archbishops, desiring them to excommunicate all those who had taken up arms with Bruce in Ireland, and all those who, either openly or in secret, furnished them with counsel, weapons, horses, money, or any other aid, in their opposition to the pope's most dear son Edward, the illustrious King of England. The Bulls desired that all such persons should be shunned as under the ban of the Church, and commanded the clergy of Ireland to read aloud the sentence of excommunication every Sunday and festival, with lighted candles and tolling of bells, in such places as they should deem expedient, but especially in the seaports.

Thus the Church again supported the cause of England against the native Irish, as it had opposed the national resistance in Scotland. But if the hierarchy of the Church abandoned the native Celts, that portion of the regular clergy most intimately acquainted with the condition of the people stood by them in the struggle. The poor brethren of St. Francis stimulated their countrymen in their efforts, and proved so formidable to the English Government, that two of the English friars of the order, one of whom was the head of the order in Ireland, were despatched by the king to their general minister, to require that the Irish friars should be canonically suppressed.

In May, A.D. 1315, Edward Bruce landed near Carrickfergus with 6,000 men, and accompanied by many of the best soldiers in Scotland. Amongst his followers we find Randolph, the Earl of Moray, and the well-known names of De Mowbray, Menteith, Soulis, and Lord Allan Steward. At this date the earldom of Ulster and lordship of Connaught were united in the person of the great De Burgo, known as the Red Earl, under whose command the colonists of eastern Ulster encountered Edward Bruce on the Bann, and were utterly defeated. Dundalk and the town of Carrick-



fergus were immediately captured, the castle of the latter place still holding out. The Red Earl was again defeated by Bruce close to the town of Connor, near the present town of Ballymena. Edward Bruce, who had been crowned king by his adherents, having left a force to carry on the siege of the castle of Carrickfergus, wintered in Westmeath, whence, in the ensuing spring, he advanced southward, and defeated the viceroy, De Boutiller, at Ardsclull, in Kildare. He thence proceeded through Leinster, captured the castle of Ley, near Portarlinton, and totally defeated at Kells the army of De Mortimer, lord of a moiety of Meath. The allied Scotch and Irish, though suffering great losses from famine and exhaustion, wasted and destroyed the lands of the Anglo-Normans in Meath and Kildare, and returned in spring to Carrickfergus, where Edward Bruce held a regal court. Towards the close of A.D. 1316, Robert Bruce arrived with reinforcements, and the castle of Carrickfergus was captured shortly afterwards.

In the spring of A.D. 1317, the Bruces, accompanied by their Irish allies, set out southwards upon a progress round Ireland, with the intention of utterly extirpating the Anglo-Norman colony. The nature of this warfare is briefly described by friar John Clynn, a devoted English partisan :—" *Item*, in the same year, about Christmas, arrived Lord Robert le Brus, who pretended to be King of the Scotch, passing across through the whole land of Ulster, where he landed, almost to Limerick : burning, slaying, plundering, sacking towns, castles, and even churches, going and returning." They arrived near Dublin, and captured the castle of Knock. After a few days' sojourn at Leixlip, they marched through Naas, Castledermot, Gowran, Callan, Cashel, and Nenagh, where he wasted the estates of the viceroy, De Boutiller ; thence to Castle Connell, and back, through Kells in Ossory and Trim, to Ulster.

Some writers have hesitated to attribute to Robert Bruce the merciless destruction with which this campaign is said to have been attended ; but knightly courtesy and chivalry were perfectly consistent with great barbarity, and the mode of conducting this war exactly resembles that adopted by Wallace in England, and by the English themselves repeatedly in Scotland. The peculiar havoc produced in Ireland arose from the protracted nature of the struggle, and the inability of those who were expelled from their homes again to take possession.

Robert Bruce after this campaign returned to Scotland, leaving a Scotch army under the command of his brother. The colonists now made strenuous efforts to assemble a force, and took up a position between Faughard and Dundalk, at the mouth of the pass subsequently so well known in Irish wars. The English forces were commanded by the celebrated Jean De Bermingham, between whom and Edward Bruce was fought the battle which decided the fate of Ireland. Bruce's chief counsellors earnestly dissuaded him from engaging forces so superior; but rendered confident by eighteen successive victories, he declared he would fight, even were the enemy three or four times stronger, and that none should say he was daunted by numbers. The issue of the celebrated battle is well known. Bruce and his chief officers were slain, but the mass of his army escaped into Scotland.

It has been frequently asserted that his Irish confederates did not support the king whom they had chosen. The Rev. Mr. Butler, in his Introduction to Clyn's Annals, states: "He (Bruce) was not effectively assisted by the native princes. The usual fate awaited him of those who, for their own aggrandisement, interfere in the civil dissensions of a foreign country. The objects of the parties are different, and each hopes to use the other only so far as may promote their own purposes. The Irish princes did not fight to change their masters, but to secure their independence, and they were no more willing to submit to a Scoto-Norman than to an Anglo-Norman baronage." This is scarcely consistent with the following passage of his author:—"In the same time the Scots landed in Ulster, to whom, during the whole time they were in Ireland, almost all the Irish of the land adhered, very few preserving faith and fidelity" (to the English king).

But whatever was the conduct of Bruce's Irish allies, the Irish people bore in memory the desperate cruelties inflicted and miseries suffered during this prolonged struggle, which evil memories were inseparably connected in the popular mind with the name of the chivalrous and brilliant, but most unfortunate, Edward Bruce. In speaking of his death, the Irish Annals of Clonmacnoise declare that he was slain "to the great joy and comfort of the whole kingdom in general, for there was not a better deed that redounded more to the good of the kingdom, since the creation of the world,

and since the banishment of the Finè Fomores out of this land, done in Ireland, than the killing of Edward Bruce; for there reigned scarcity of victuals, breach of promises, ill performance of covenants, and the loss of men and women, throughout the whole kingdom, for the space of three years and a half that he bore sway; insomuch that men did commonly eat one another, for want of sustenance, during his time."

Meanwhile, two bye-battles between the Anglo-Normans and the native Celts had been fought in other parts of the country. The entire clan of the O'Connors was defeated, if not annihilated, in the Battle of Athenry by the Norman barons under the command of Richard De Bermingham; but the Anglo-Normans were not so successful in South Leinster, where they were defeated by O'Carrol of Ely, nor again in North Munster, where the O'Briens defeated and slew Richard De Clare at the head of an army of Norman settlers and Irish retainers in the decisive battle of Dysart O'Dea.

Thus, upon the whole, the Anglo-Normans emerged triumphant from the struggle; but though the Scotch and western Irish were defeated, though Edward Bruce's head had been exposed in Westminster, though no organised native or Scotch force remained in Ireland, the English colonists suffered such serious losses, their social system was so disorganised, and their power so thoroughly shaken, that within fifty years the English were compelled to abandon the project of finally conquering Ireland, and to adopt the policy embodied in the Statute of Kilkenny, hereafter described.

The condition of the English Settlement, and the sufferings of the poorer classes of the English freeholders, which form the true strength of every society, are described by the Rev. Wm. Butler, in his Introduction to Clynne's Annals, as follows:—"Many generations passed before the devastating effects of the Scottish invasion, passing thus like a stream of lava through the country, were done away. The animosity between the English and the Irish was embittered, the sense of the greatness of the English power was diminished, the authority of law and order was impaired, the castle and the farm-house were alike ruined. The castle was more easily rebuilt than the more important farm-house. The noble may have had other resources: in later times we know that his castle was repaired at the expense of the district; he was bound by stronger



ties to the country ; and when his castle was rebuilt, it was at least comparatively secure ; but when the homestead was wrecked, land burned, and the haggard robbed of its stacks, and the bawn left without horse or cow, and ‘all his gear were gone,’ the farmer, as he looked about him in despair, might well be excused if he fled away to some safer country ; or if, listening to hunger, that evil counsellor, he became an idle man or a kerne, ready to plunder, as he had been plundered, and eating up the produce of other men’s labours.”

“ If he endeavoured to remain, what was before him, but, poor and dispirited, deprived of his accustomed comforts and of his comparative respectability, to sink hopelessly into a lower stage of society, and to yield to its customs ; or rather to turn in sullen or in passionate anger from the civilisation in which he no longer had a share, and to resent, as an injury, the existence of comforts which had been his once, but were to be his no more, and to hate and to scorn their possessors ?

“ Such, doubtless, was the history of the degradation of many English freeholders, consequent upon the Scottish invasion ; nor could the degradation be limited to the retainer alone. In a country in which there is no foreign interference, no rank of society can stand apart from others, and in proportion to its height it needs the more numerous supporters. The castle walls can no more keep out the influence of the social maxims and principles of the lower ranks of the people, than they can keep out the contagion of their diseases, and the lord necessarily partook of the degradation of the vassals.

“ To the Scottish invasion, then, may, at least partly, be ascribed the barbarism and the consequent weakness of the English in Ireland during the greater part of the fourteenth and the whole of the fifteenth century. In the thirty years that elapsed between that event and the close of Clyn’s Annals, that barbarism had made great progress. The power of the central government grew weaker ; the lords, whether of Irish or of English blood, became more independent and irresponsible, and, consequently, more arbitrary and tyrannical ; and private feuds, resulting in open violence, became of more frequent occurrence. The control of law nearly ceased, and little remained, as a rule of conduct, except the will of

the stronger. It then became a question whether this anarchy should continue, or whether it should result in the prevalence of either the English or the Irish system, or, as seemed more probable and more reasonable, whether some third system should not be developed, formed from the amalgamation of these two, and the natural growth of the circumstances of this country."

During the ensuing fifty years events rapidly succeeded, which show this disorganisation of the social system of the English colony, and continually increasing feebleness of the Government. In the parliament held in Dublin by Sir John D'Arcy, in A.D. 1323-4, the lords there assembled undertook, before the next parliament, to arrest, or cause to be arrested, all felons and robbers of their families or surname, with their adherents in the neighbourhood, and to make them and other malefactors in their lordships amenable to the king's courts, with due regard to their own oaths, their franchises, and personal safety.

In A.D. 1327 the English Government wrote to their viceroy that as the Irish enemies and English rebels were ravaging the royal lands and those of the absentees who provided no sufficient defence for their estates, the proprietors of castles on the march should be directed to take measures for defence. In the event of their non-compliance, the viceroy was directed to take possession of the castles, and maintain them out of their receipts as he deemed most advantageous.

The same year the Leinster Irish elected as king Donal Mac-Murrough, who at one time advanced to within two miles of Dublin.

The violent dissensions of, and outrages committed by, the colonists rendered any concerted defence impossible, and caused some families to abandon their allegiance. In A.D. 1329, Jean De Bermingham, the victor of Faughard, was murdered by his own English vassals of the county of Louth. With a view of exterminating the kindred of the De Berminghams, they slew not only their lord himself, but also his brothers, nephews, and retainers, to the amount of two hundred. The Norman families in the county of Louth, when summoned to answer for this crime, refused to appear before the king's court, and resisted the sheriff when directed to attach them for contempt. The armed force of the loyal

inhabitants of Louth failed to execute the writ, and the murderers remained unpunished.

The events of the year 1329 are thus summed up in Cox's history:—

“ Sir John Darcy, Lord Justice, in whose time Macoghegan of Meath, and other Irishmen of Leinster, O'Bryan of Thomond, and his confederates in Munster, broke out into rebellion; and yet this common calamity could not unite the English, although their own experience had taught them (and frequent instances have convinced the succeeding ages since) that the English never suffered any great loss or calamity in Ireland, but by civil dissensions and disagreement among themselves. When the Earl of Louth, and many other of the Berminghams, Talbot of Malahide, and an hundred and sixty Englishmen were murdered by the treachery of their own countrymen, the Savages, Gernons, &c., at Balibragan, in Urgile; and when the Barrys and Roches in Munster did as much for James Fitz-Robert Keatinge, the Lord Philip Hodnet, and Hugh Condon, with an hundred and forty of their followers; what wonder is it if Macoghegan defeated the Lord Thomas Butler and others near Molingar, to their loss of an hundred and forty of their men? Or if Sir Simon Genevil lost seventy-six of his soldiers in Carbray, in the county of Kildare; or if Brian O'Bryan ravaged over all the country, and burnt the towns of Athassel and Tipperary?”

Into this state had the English Government allowed Ireland to fall, and such was the country from which they were still endeavouring to draw supplies for the Scotch wars.

In A.D. 1331, the viceroy, unable himself to repel the Irish, aggravated the confusion by calling on the Earl of Desmond for assistance; for, being unable to pay the Munster army, he was obliged to permit their leader to quarter them upon the colonists, and to take coigne and livery, that is, to exact money and food for men and horses without any payment.

In the same year, the English Parliament attempted the reform of Ireland. The existence of Irish not subject to the king had previously been ignored by the English Government: now at last they were compelled to recognise this fact, and provide for it by legislation. Their views of reform did not, however, proceed beyond the enforcement of the principles of feudal law, and they imagined that



an Act of Parliament, passed for the benefit of all, would be acquiesced in by both the Anglo-Normans and the Celts. By the ordinances passed on this occasion the power of the viceroy and others to grant pardons was restricted. One and the same law was declared applicable to both Irish and English, with the exception of serfs in the power of their lords, in the manner used in England in the case of villeins. The viceroy was restrained in granting custodies and wardships: sheriffs and coroners were to be elected by the county courts, and in no other way; no protections were to be granted by the viceroy or by any nobleman; truces made and to be made between the English and Irish should be observed, and neither party should do injury to the other during the truce, and whosoever did so should be treated as a felon; all officers of the king, accountable in Ireland, and not having lands and property in Ireland, should give security to answer the king; no person should keep kern or idle men except on his own estates and for his defence; all who had land and tenements in Ireland, as well religious as lay, should be admonished to reside upon them, or to place sufficient guard in them before the feast of St. Peter, and, in default of so doing, the king should seize the lands into his own hands, and provide for the defence; none of any rank or condition should maintain, foster, or defend the Irish, or anyone breaking the king's peace, and whoever did so should be esteemed a felon.

The policy of these ordinances may be called Imperialism. They attempted to establish English ideas and laws among a totally dissimilar people, to bring about a unity of the two countries, by extending to and enforcing in Ireland English law and government. But such a policy must be maintained by force, or be preceded by a complete conquest. As the English Government in Ireland could scarcely maintain its own existence, and the English king neither attempted nor was able to reduce the native Celts to obedience, this Act, like many other Irish enactments, never had any practical results.

In 1333, a large portion of Ireland was suddenly lost to the English, in consequence of the assassination of the last direct male representative of the great house of De Burgo. The Red Earl had been succeeded by his grandson, William, in the earldom of Ulster and lordships of Connaught and Meath. One-fourth of the

English territory, vested in him as sole feudal proprietor, gave to William, the "Brown Earl," a military force which was the greatest obstacle to the efforts of the western and northern Irish to establish their autonomy. By the accident of his death, this vast district was suddenly thrown into the hands of the most uncompromising opponents of English rule. On the 6th of June, 1333, William De Burgo was assassinated at Carrickfergus by Richard De Mandeville, an Ulster noble, his own uncle by marriage. His immense estates passed, according to English law, to his infant daughter, subsequently the wife of Lionel, Duke of Clarence, son of Edward III. The junior branches of the house of De Burgo and the feudal vassals of Connaught, however, refused to be treated as so much landed property, and rejected as their feudal head an infant girl, who had been removed by her mother to England. They clearly saw the consequences of such a step: they could not remain the subjects of the English Crown, and reject the unquestionable rights of the king to the wardship of the minor. The refusal to admit the claims of the heiress was equivalent to an entire renunciation of English law and rule, and could only be effected by the open adoption of Irish customs, and an intimate alliance, upon this basis, with the native tribes. This design was at once carried out by the two chiefs of the cadet branches of the De Burgo family.

Sir William and Sir Edmond De Burgo, the ancestors respectively of the Earls of Clanrickarde and Mayo, occupied and divided between themselves the lordship of Connaught, comprising the present counties of Galway and Mayo. Combining with the Irish clans, they solemnly renounced the allegiance of England, and adopted the Irish language, apparel, and laws. On the banks of the Shannon, in sight of the royal garrison of Athlone, they stripped themselves of their Norman dress and arms, and assumed the saffron robes of Celtic chieftains.

Sir William De Burgo assumed the title of M'William Uachtar, the son of William of the upper territory, and lord of the town of Galway. Sir Edmond De Burgo styled himself M'William Iochtar, or of the lower district. These patronymics, ever after used by their descendants, were taken from the name of their father, Sir William De Burgo, the viceroy in 1308.

At the same time the territory of Eastern Ulster was lost to

the English Crown. This district had suffered most severely during the invasion of Edward Bruce; its castles had been ruined, and the colonial population almost destroyed. Under these circumstances the sept of the O'Neills, known as "Clan Aedha Buidhe," or the tribe of Hugh the Red, crossed the Bann, expelled the remaining settlers, and established for themselves a principality, known to the English as Clannaboy. In Antrim, formerly the residence of the great Earls of Ulster, there was found in the sixteenth century a compact Celtic population, which offered a protracted and long successful resistance to fresh floods of English colonists.

In A.D. 1337, Edward III. attempted to remodel the Irish Government by committing it to officials accustomed to the management of the Welsh; but this measure appears not to have been attended with any beneficial results.

In A.D. 1338, Edward III., in still further pursuance of this policy, decreed that none but Englishmen should be admitted to any legal office under the Crown in Ireland. The effects of this ordinance were the very opposite of what the king had anticipated. The Irish officials had been corrupt, and jobbed for the benefit of their friends. The pure-bred English legal administration, like the officials in the eighteenth century sent to India by the East India Company, plundered for themselves, and matters became rather worse than before.

Events now rapidly following in succession show the weakness of the English Government. The Connaught septs captured the three royal castles of Athlone, Roscommon, and Randown. The south-east of Leinster, from Carlow to the sea, passed into the hands of O'Byrnes, O'Tooles, and Mac Murroughs. Lisagh O'Moore captured the castle of Dunnamaise, and established himself in the Queen's County. The colonists of the county Louth, unable to protect themselves, entered into a separate treaty with the chief of the O'Hanlons. This arrangement was actually approved of by the King of England, and imitated by the Irish Government, who covenanted to pay out of the public exchequer an annuity to the chief of the Mac Murroughs to secure his neutrality.

At this period Edward III., pressed to meet the expenses of his Continental wars, attempted to raise money from his unfortunate



Anglo-Norman subjects in Ireland. After various feeble tentatives of administrative reform, he issued, in A.D. 1341, the following writ :—"Whereas, expressive grants of lands, tenements, and liberties in Ireland, have been made, as well by Edward II. as by the present king, upon untrue and deceitful suggestions of petitioners, the king, desirous to baffle deceitful machinations of this nature, by the advice of his council, has thought fit that all grants of lands, tenements, and hereditaments, such as aforesaid, should be revoked until he be made certain of the merits of the grantees, the causes and conditions of the grants ; and, therefore, the Justiciary of Ireland (viceroy) is ordered to cause all aforesaid lands, tenements, &c., to be seized into the king's hands."

An estate in Ireland, at this period, can have had no appreciable money value. It entailed responsibilities and duties, but returned little profit. The sole object of this writ must have been to raise money, by compelling the several grantees to compound by means of fines. As if desirous that no class of the community should escape from the royal exactions, a writ was issued, ordering that all pardons and suspensions of the king's debts, that were by green wax or otherwise, except pardons or releases under the Great Seal of England, should be vacated.

The natural result of these measures was the universal discontent of the Anglo-Norman population. The exclusion from office of Irish-born subjects produced dissensions between the English by blood and the English by birth. The resumption of previous grants, and the re-levying of Crown debts previously discharged, excited the entire Anglo-Norman population.

The Earls of Desmond, and the chief nobles of the colony, refused to attend the parliament summoned to meet in Dublin in October, 1341. They convened a meeting at Kilkenny in the succeeding month. This meeting sent messengers to the king with their complaints, couched in the three following queries :—

First—How a realm of war could be governed by a man unskilled in all warlike service ? Second—How an officer under the king, that entered very poor, could in one year heap up more wealth than men of great estates in many years ? Third—How it chanced, since they were all called lords of their own, that the sovereign lord of them all was never the richer for them ?

At the same time they despatched to the king a memorial in French, representing that the Irish enemy had retaken more than one-third of the lands which had yielded revenue to the king's predecessors, and had captured and destroyed many castles, the chief defence of the English; that the Anglo-Normans were reduced to such a state of poverty, that they could not exist unless some remedy was devised. The loss of the Crown revenues was ascribed no less to the incessant war than to the embezzlement and extortions practised by English-born officials, who defrauded the constables of the royal castles; entrusted their custody to incompetent warders, or to those who employed deputies, merely to extort fees; charged the Crown for goods and valuables taken for its use, but for which they never paid; entered in their account salaries to governors of castles which were either demolished, in the hands of the enemy, or had never existed; and exacted money from the king's subjects on various pretences. In addition to the complaints of the local executive, the petitioners represented that many districts of the colony had been ruined, as the proprietors never came thither from England, nor made any expenditure towards their maintenance, but sought, by setting them to farm, to extract all the money they would yield. They concluded by appealing against the injustice of resuming lands and grants given to them and their progenitors in return for services, and insisted that they should not be deprived of their freeholds without being called to judgment in accordance with the Great Charter.

Edward III. was constrained to comply with this petition, but coupled his consent with a request for further assistance in his French wars, and, as a remedy for the state of Ireland, issued another series of utterly useless ordinances.

In A.D. 1349, the English viceroy, scarcely able to hold out in Dublin, entered into negotiation with the border septs, and hired a chief of the O'Tooles to protect the English borders about Tallaght, and in certain parts of the county Wicklow. As to the less amenable chiefs, rivals were hired to dispute their authority in their clans, and rewards were offered for their capture or assassination. For the protection of the English district, constant assessments were levied, and the colonists perpetually kept under arms. The English population naturally began to quit Ireland, to such an

extent, that, in A.D. 1353, the king, by a proclamation, forbade the departure from Ireland of any ecclesiastic, noble, or able-bodied man, capable of defending the country; the penalty of forfeiture was decreed against any English subject who should quit Ireland without special license. On this occasion the Archbishop of Armagh was specially noticed as an absentee, who spent his revenue abroad, instead of devoting it to fortifying and defending the lands of his See, then invaded by the Irish. Meanwhile the native Celts proceeded to elect kings and chiefs according to their ancient customs, observed the Brehon law, and utterly ignored the existence of an English Government. Many of the more important Anglo-Norman houses—such as the De Burghs, Le Poers, St. Aubyns, De Roches, De Cantellons—seceded from the English Government, and many more further wholly assimilated themselves to the Celtic population.

In A.D. 1361, Lord Lionel, Duke of Clarence, came over as viceroy, nominally to save the English subjects in Ireland from destruction; but also, probably, with a view of obtaining possession of the large Irish estates which he claimed in right of his wife, the heiress of the last De Burgo. For the purpose of this expedition, on July 2, 1361, proclamation was made in England that all those who held property in Ireland should at once proceed thither in arms, or send representatives to dwell upon their estates, and to aid the prince in defending their lands against the enemy; and that all Crown lands occupied by the Irish, and demesnes, whose proprietors should be absentees at the date of the prince's arrival, should be seized, and granted for ever, in the king's name, to English subjects who would dwell upon and defend them.

The Duke of Clarence landed in Ireland with a considerable and highly-paid force of English soldiers experienced in the French wars. Confident in the native English force which accompanied him, he issued a proclamation that none of the old English should join his army, or approach his camp. The conduct of the war in Ireland by him was such that, on 10th February, 1362, the king issued a writ declaring that his very dear son, and his companions in Ireland, were in imminent peril from the daily increasing strength of the enemy, and again ordering the absentee lords to appear at Westminster in the second week of Lent to receive instructions as to an expedition into Ireland.



Matters gradually arrived at such a condition in Ireland that the English Government apparently resolved to adopt a new line of policy. From the ordinance of A.D. 1331, the king appears to have discovered the existence of an independent Celtic population which rejected the rule of the English Crown, and had attempted to legislate for them. In A.D. 1366, the English had further discovered that the Celtic population and the degenerate Anglo-Normans paid not the slightest regard to the ordinances or overtures of the English king, and finding it totally impossible to conquer them, resolved to adopt a simply defensive policy, to confine its efforts to the maintenance of English law and custom in the districts which were still loyal, and to treat the Celtic Irish and degenerate Anglo-Normans as foreigners, leaving them altogether to their own devices. This policy was embodied in the celebrated Statute of Kilkenny. *passed 1367 B. & W. m. 1 p. 83*

This remarkable Act has been represented as an attempt to enforce English customs upon the reluctant Celts. M. De Lolme describes it as a declaration of perpetual war against those persons and chieftains of the English race who were settled up and down the country, and had been more or less necessitated to adopt Irish customs and laws. Mr. Plowden writes of this Statute:—  
 “Imagination can scarcely devise an extreme of antipathy, hatred, and revenge, to which this code of aggravation was not calculated to provoke both nations.” Authors who have expressed such opinions probably had not the advantage of having ever read the Statute, since it does not appear, from the reign of James I., to have been seen by any of the writers on Irish affairs, who, as a rule, have made use of the synopsis contained in Sir John Davis’s works. The original, lent out of the Rolls Office in A.D. 1639, was not returned, and the Act does not appear in the Irish Statute Book. The original French text (with a translation, and most valuable notes) was published for the first time in A.D. 1843, by the Irish Archaeological Society, from a transcript in the Lambeth Library.

It must be premised that the Act applied only to the districts still remaining loyal to the English Crown, subsequently known as the Pale. The English Pale, originally denominated “The English Land,” to distinguish it from the surrounding territories possessed by the mere Irish, did not designate any definite

district, but meant the territory in which the king's writ ran, and which was *de facto* subject to the enactments of the Irish Parliament. This district fluctuated in extent from time to time, continually decreasing, until in A.D. 1515 its limits were as follows:— Taking Dundalk as the starting-point, the frontier ran through Derver, Ardee, Sydan, Kenlys (now Kells), Dengle, to Kilcock; thence to Naas, Kilcullen, and Ballymore-Eustace, whence it turned backward to Rathmore, and passed through Tallaght to Dalkey.

The scope and intention of the Act appear sufficiently from the preamble.

“Whereas at the conquest of the land of Ireland, and for a long time after, the English of the said land used the English language, mode of riding, and apparel, and were governed and ruled, both they and their subjects called Betaghues, according to the English law, in which time God and holy Church, and their franchises according to their condition were maintained [*and themselves lived*] in [*due*] subjection; but now many English of the said land, forsaking the English language, manners, mode of riding, laws, and usages, live and govern themselves according to the manners, fashion, and language of the Irish enemies; and also have made divers marriages and alliances between themselves and the Irish enemies aforesaid; whereby the said land, and the liege people thereof, the English language, the allegiance due to our lord the king, and the English laws there, are put in subjection and decayed, and the Irish enemies exalted and raised up, contrary to reason; our lord the king considering the mischiefs aforesaid, in consequence of the grievous complaints of the commons of his said land, called to his parliament held at Kilkenny, the Thursday next after the day of Cinders [Ash Wednesday], in the fortieth year of his reign, before his well-beloved son, Lionel, Duke of Clarence, his lieutenant in the parts of Ireland, to the honour of God and of his glorious Mother, and of holy Church, and for the good government of the said land, and quiet of the people, and for the better observation of the laws, and punishment of evil doers there, are ordained and established by our said lord the king, and his said lieutenant, and our lord the king's counsel there, with the assent of the archbishops, bishops, abbots, and priors (as to what

appertains to them to assent to), the earls, barons, and others of the commons of the said land, at the said Parliament there being and assembled, the ordinances and articles under written to be held and kept perpetually upon the pains contained therein."

For the purpose of preventing connexions between the English of the Pale and the native Celts, it was provided by section 2 that—

"No alliance by marriage, gossipred, fostering of children, concubinage, or by amour, nor in any other manner, be henceforth made between the English and Irish of one part, or of the other part; and that no Englishman, nor other person, being at peace, do give or sell to any Irishman, in time of peace or war, horses or armour, nor any manner of victuals in time of war; and if any shall do to the contrary, and thereof be attainted, he shall have judgment of life and member, as a traitor to our lord the king."

To prevent the adoption by the English of Irish customs, language, and dress, section 3 enacts that—

"Every Englishman do use the English language, and be named by an English name, leaving off entirely the manner of naming used by the Irish; and that every Englishman use the English custom, fashion, mode of riding and apparel, according to his estate; and if any English, or *Irish living amongst the English*, use the Irish language amongst themselves, contrary to this ordinance, and thereof be attainted, his lands and tenements, if he have any, shall be seized into the hands of his immediate lord, until he shall come to one of the places of our lord the king, and find sufficient security to adopt and use the English language, and then he shall have restitution of his said lands, by writ issued out of the said places. In case that such person shall not have lands or tenements, his body shall be taken by any of the officers of our lord the king, and committed to the next gaol, there to remain until he, or some other in his name, shall find sufficient surety in the manner aforesaid: And that no Englishman who shall have the value of one hundred pounds of land or of rent by the year shall ride otherwise than on a saddle in the English fashion; and he that shall do to the contrary, and shall be thereof attainted, his horse shall be forfeited to our lord the king, and his body shall be committed to prison, until he pay a fine according to the king's pleasure for the contempt aforesaid; and also, that beneficed



persons of holy Church, living amongst the English, shall use the English language; and if they do not, that their ordinaries shall have the issues of their benefices until they use the English language in the manner aforesaid; and they shall have respite in order to learn the English language, and to provide saddles, between this and the feast of Saint Michael next coming."

The object of compelling the use of saddles was to prevent the English horsemen abandoning the use of the lance couched under the arm, according to the English and French fashion, and degenerating into cavalry armed like the Irish, who held their lances by the middle, and used them frequently as javelins.

To prevent the adoption of Brehon law by the English living along the marches or within the Pale, and to restrain the constant quarrels between the English by blood and the English by birth, section 4 was enacted:—

"Also, whereas diversity of government and different laws in the same land cause difference in allegiance, and disputes among the people; it is agreed and established, that no *Englishman*, having disputes with *any other Englishman*, shall henceforth make caption, or take pledge, distress, or vengeance against any other, whereby the people may be troubled, but that they shall sue each other at the common law; and that no Englishman be governed in the termination of their disputes by March law nor Brehon law, which reasonably ought not to be called law, being a bad custom; but they shall be governed, as right is, by the common law of the land, as liege subjects of our lord the king; and if any do to the contrary, and thereof be attainted, he shall be taken and imprisoned, and adjudged as a traitor; and that no difference of allegiance shall henceforth be made between the English born in Ireland, and the English born in England, by calling them English hobbe, or Irish dog, but that all be called by one name, the English lieges of our lord the king; and he who shall be found [*doing*] to the contrary, shall be punished by imprisonment for a year, and afterwards fined, at the king's pleasure; and by this ordinance it is not the intention of our lord the king [*but*] that it shall be lawful for any one that he may take distress for service and rents due to them, and for damage feasant as the common law requires."

The taking of pledges and distress, mentioned in this section,

evidently refers to the initiatory procedure of a Brehon lawsuit, by which the defendant was compelled to submit to the arbitration of the Brehon.

The colonists appear to have abandoned the use of the bow, whereby the English forces lost their most material advantage over their Celtic antagonists. To obviate this, section 6 was enacted:—

“Also, whereas a land, which is at war, requires that every person do render himselfe able to defend himself, it is ordained, and established, that the commons of the said land of Ireland, who are in the different marches at war, do not, henceforth, use the plays which men call hurlings, with great sticks [*and a ball*] upon the ground, from which great evils and maims have arisen, to the weakening of the defence of the said land, and other plays which men call quoiting; but that they do apply and accustom themselves to use and draw bows, and throw lances, and other gentlemanlike games, whereby the Irish enemies may be the better checked by the liege people and commons of these parts; and if any do or practise the contrary, and of this be attainted, they shall be taken and imprisoned, and fined at the will of our lord the king.”

It has been already remarked in an earlier chapter that, according to the principles of law then existing in Europe, all the members of a sept would have been considered responsible for the debts of any single member, and the creditor could have obtained from the English Government a right of reprisal. To prevent hostilities arising out of transactions of this nature, section 11 enacts that—

“If any Irishman, being at peace, by borrowing, or purchase of merchandise, or in any other manner, become debtor to an English or Irishman being at peace, that for this cause no other Irish person belonging to him, under him, or in subjection to him, nor his goods, shall be seized nor ransomed for such debt, if he be not surety for the same debt; but his remedy shall be against the principal debtor, as the law requires. Let him be well advised to give his merchandise to such person as he can have recovery from.”

This is a very remarkable section in advance of the general legislation of the times, and the more so, since, according to Irish Brehon law, the whole sept was liable for the offence of an indi-

vidual member. It is a proof of the extreme desire of the framers of this Statute to prevent hostilities between the two nations. This section was, however, repealed in 16th Edward IV. (Irish), A.D. 1476.

It was the custom of the native Irish that the tribal cattle should be driven out to pasture in the woods during the summer season. The whole herd was removed to fresh land from time to time, according as they consumed the pasturage. A similar custom still prevails in Norway, where the cattle are driven from the summer pasturage to the fjelds. The cattle were, in fact, accompanied by the tribe, who erected temporary huts, where they made their butter during the fine season; the temporary hut was called a *buaille*, whence the custom itself was called *buailidheacht*. To prevent the introduction within the Pale of Celts not subject to the king, and at the same time to obtain the acquiescence of the Irish in this arrangement, it was enacted by section 12 that—

“In every peace to be henceforth made, between our lord the king and his liege English of the one part, and the Irish of the other part, in every march of the land, there shall be comprised the point which follows, that is to say, that no Irishman shall pasture or occupy the lands belonging to English, or Irish being at peace, against the will of the lords of the said lands; and if they so do, that it shall be lawful for the said lords to lead with them to their pound the said beasts so feeding [*or*] occupying their said lands, in name of a distress for their rent and their damages, so that the beasts be not divided or scattered as heretofore has been done; but that they be kept altogether as they were taken, in order to deliver them to the party in case that he shall come to make satisfaction to the lords of the said lands reasonably, according to their demand; and in case any one shall divide or separate from each other the beasts so taken, he shall be punished as a robber and disturber of the peace of our lord the king: and if any Irish rise by force to the rescue of those reasonably taken, that it be lawful for the said English to assist themselves by strong hand, without being impeached in the court of our lord the king on this account; and that no Englishman do take any distress upon any Irishman of any part between this and the Feast of St. Michael next to come; so that the Irish of every part may be warned in the meantime.”



This remarkable clause, which indicates the utmost desire to prevent any conflict with the Irish, has continually been represented as an act of tyranny towards the native Irish. It is obvious that those who have made such criticisms upon this section have only read the synopsis of the Act in Sir John Davis's work, for the section itself does not make it penal for the English to permit the Irish to graze on their lands. It, on the contrary, provides that arrangements shall be made between the Irish and English to prevent the Irish depasturing lands belonging to a subject of the English Crown, against the will of the lord of the land; and further provides that if the Irish committed a trespass of that description, their cattle should be kept safely for them until they had made reasonable compensation.

Sections 13 and 14 prohibit any Irishman being inducted into a living, or received into a monastery; but these sections are specially confined to benefices and religious houses situated among the English.

Section 15 is the celebrated section, represented as aiming at the suppression of the Irish bards. Its real object was to prevent the introduction of Irish spies into the English territory. This appears upon the face of the section itself:—

"Also, whereas the Irish agents who come amongst the English, spy out the secrets, plans, and policies of the English, whereby great evils have often resulted; it is agreed and forbidden, that any Irish agents, that is to say, pipers, story-tellers, babblers, rimers, mowers, nor any other Irish agent shall come amongst the English, and that no English shall receive or make gift to such; and that he that shall do so, and be attainted, shall be taken, and imprisoned, as well the Irish agents as the English who receive or give them anything, and after that they shall make fine at the king's will; and the instruments of their agency shall forfeit to our lord the king."

By section 17 the English subjects were restrained from keeping "kerns, hoblers, or idlemen," except those who dwelt on the marshes, who were required to do so at their own expense.

The desire of the framers of this Act to preserve peace between the inhabitants of the Pale and the Irish, and, for such purpose, to prevent acts of violence by the English upon the marches, is shown by section 26, which is as follows:—

“Also, it is ordained that if truce or peace be made by the justices, or wardens of the peace, or the sheriff, between English and Irish, and they shall be broken by any English, and thereof be attainted, he shall be taken and put in prison until satisfaction be made by him to those who shall be disturbed [or] injured by that occasion, and he shall moreover make fine at the king’s will; and if there is not wherewith to make restitution to those who shall be injured, he shall remain in perpetual confinement. And such wardens and sheriffs shall have power to enquire concerning those who shall have broken the peace.”

A fair analysis of the Act leads to the conclusion that the English Government, at this time, abandoned the prospect of reducing to obedience the Irish and degenerate English, and, adopting a policy purely defensive, sought merely to preserve in allegiance to the English Crown the miserable remains of the Irish kingdom. The policy of the Act, if steadily carried out, might have been advantageous to both the English and the Irish in Ireland; but it required a vigorous executive and a standing police, both of which were wanting to the English Government in Ireland, and it was never pursued with any amount of perseverance. It was undoubtedly a retrograde step, and an admission of defeat. A vigorous policy may end in failure, but will not entail dishonour; a feeble policy, feebly and irresolutely conducted, and varied by intervals of spasmodic action, inevitably leads to utter failure and equal disgrace. That such was the conduct of the English Government, during the fifteenth century, and such its results, will appear in the following chapter.

---

## CHAPTER X.

---

THE ENGLISH GOVERNMENT AND POLICY IN IRELAND FROM  
A.D. 1366 TO A.D. 1534.

THE effect of the Statute of Kilkenny is thus described by Sir John Davis :—

“ These and other lawes, tending to a general reformation, were enacted in that Parliament ; and the execution of these laws, *together with the presence of the king's son*, made a notable alteration in the state and manners of this people, within the space of seven years, which was the term of this prince's lieutenancy.

“ For all the descources that I have seen of the decay of Ireland do agree in this—that the presence of the Lord Lionel, and these Statutes of Kilkenny, did restore the English Government in the degenerate colonies for divers years. And the Statute of the 10th of Henry VIII., which reviveth and confirmeth the Statutes of Kilkenny, doth confirm so much. For it declareth that, so long as these laws were put in use and execution, the land continued in prosperity and honour ; and since they were not executed, the subjects rebelled and digressed from their allegiance, and the land fell to ruin and desolation. And withal, we find the effect of these laws in the pipe-rolls and plea-rolls of this kingdom ; for from the 36th Edward III., when the prince entered into his government, till the beginning of Richard II., his reign, we find the revenue of the Crown, both certain and casual in Ulster, Munster, and Connaught, accounted for ; and that the king's writ did run, and the common law was executed in every of these provinces. I join with these laws the personal presence of the king's son, as a concurrent cause of this reformation. Because the people of this land, both



English and Irish, out of a natural pride, did ever love and desire to be governed by great persons. And therefore I may here take occasion to note, that first the absence of the Kings of England, and next, the absence of those great lords who were inheritors of those mighty seigniories of Leinster, Ulster, Connaught, and Meath, have been the main causes why this kingdom was not reduced in so many ages."

That Sir John Davis, the advocate of a strong English Government, and an imperial policy, takes a far too favourable view of the practical result of this Statute, will appear from what follows: that the Statute was never practically put in execution is shown by the numerous Acts of the Irish Parliament, re-enacting it, in whole or in part; and the position and conduct of the English Government nullified the policy which had been advisedly adopted.

"In our land of Ireland," wrote Richard II., "there are three kinds of people—wild Irish, our enemies, Irish rebels, and obedient English. To us and our Council it appears that the Irish rebels have rebelled in consequence of the injustice and grievances practised toward them, for which they have been afforded no redress; and that, if not wisely treated and given hope of grace, they will, most likely, ally themselves with our enemies."

The Irish enemies had now reoccupied a large portion of the feudal estates of the original conquerors, and were perpetually eating into the districts still loyal to the Crown. They were no longer a broken remnant, "compelled to repair, in the hope of saving their lives, to mountainous, woody, swampy, and barren spots." They had assumed the offensive, and were the more dangerous as their attacks were made from every point, with unconcerted but unceasing energy. The great difficulty in dealing with them lay in the absence of any government with which the English viceroy could treat, or central point which he might assail. Such enemies could be disposed of only by complete conquest, almost amounting to extermination, or by a regular and organised resistance along the whole extent of an irregular and indefensible frontier.

The Irish rebels, descendants of the first conquerors, although wholly rejecting the English Government, and now assimilated to the native population, were not actively aggressive; but any attempt

to reduce them to obedience could only end in their intimate alliance with the Irish enemy, and an aggravation of the dangers which assailed the colony.

The obedient English may be divided into two classes—the lords of the English Pale, who inhabited portions of the former seigniory of Meath, and the three great lords of Kildare, Desmond, and Ormonde. The former, by constant ill-government, had been reduced to a state of feebleness and misery. The latter were quite out of the control of the English Government, and merely co-operated with it as it suited their convenience. The Desmond still acted as Norman lord in his relations to the English Government, but towards his subjects had adopted the position of an Irish chief, and the inhabitants of Munster, under his rule, were completely Celticised. The Kildare Geraldines occupied a somewhat similar position; but their proximity to Dublin brought them into closer connexion with, and more under the influence of, the English Government. The family of Butler ruled over the large but detached body of English colonists occupying the counties of Kilkenny and North Tipperary—a district originally densely colonised, and containing numerous castles, monasteries, and cities of some importance. James Butler, Earl of Carrick,\* had married a cousin of Edward III., and in the third year of that king obtained a grant of the regalities and liberties of Tipperary, and the rights of a Palatine in that county. His successors subsequently intermarried with various English heiresses, and acquired vast estates beyond the Channel. The Irish family of Butler, until the extinction of the senior branches in the reign of Henry VII., played a conspicuous part in the English civil wars, as the Lancastrian Earls of Wiltshire. Under these circumstances, the Earls of Ormonde retained a closer connection with the English Government, but, at the same time, failed to obtain the same local influence which the chiefs of the Geraldines enjoyed.

Effectually to carry out the policy of the Statute of Kilkenny, it

[\* Edmund le Botiller had been created in 1315 Earl of Carrick; but for some reason not very apparent none of his successors assumed the title, and his son, James Butler, was in 1328 (1st Edward III.) created Earl of Ormonde (Oir Mumhan, *East Munster*), the Irish name of a territory in Tipperary. See Carte's *Life of Ormonde*, Vol. I., p. lix.]

was requisite that the government of the English Pale should possess an organised military force, secure its subjects the benefits of public order and a regular administration, and pursue some consistent course of policy towards the Irish enemies and Irish rebels. But as the wretched executive of the Pale was left wholly unprovided with men or money, the English subjects were harassed by continual military service, and impoverished by exorbitant taxation; the only efforts to check the Irish tribes being occasional hostings, by which the territory of some sept was devastated, but no permanent result obtained.

The English Government during this period was a source of unmixed evil to the country. The English kings had practically abandoned the exercise of sovereign power in Ireland; and the only means by which any government could have been established was the expansion of the local seigniories into small kingdoms. The English executive neither fulfilled the duty of a government nor permitted any other to be established. Their highest aim was self-preservation, and the means by which they sought it were the fomenting of civil war between the barons and chiefs outside the Pale, the rendering of assistance to any pretender who promised to embarrass or depose a tribal chieftain, and frequent razzias, equally barbarous and futile. Under these circumstances, although efforts from time to time were made by the English kings, their government sunk into greater feebleness and contempt, and their decadence is marked by a distinct series of events.

In A.D. 1368, the Irish Parliament, addressing the king, declared that the Irish, with his other enemies and rebels, continued to ride over the country in hostile array, slaying those who opposed them, despoiling the monasteries, churches, castles, towns, and fortresses of the English, without reverence for God or holy Church, to the great shame and disherison of His Majesty, by which his land was likely to be totally lost unless immediate remedy was supplied. In the same year a Parliament at Dublin repeated the ordinary complaints as to the conduct of absentees; and, in compliance with their advice, a Statute was enacted by the English Parliament, directing the return of all absentee lords to Ireland.

In A.D. 1371, the O'Byrnes having made a descent on Carrickimayne, De Cotton, Dean of St. Patrick's, marched against them



with his own retinue and a considerable force, remaining in arms at his own expense on one occasion for eight days ; on another, for a month. The treasury being empty, and none of the king's officers being willing to undertake the defence of Newcastle Mac Kinegan, on the Wicklow frontier, the same warlike dean raised money by pawning his own goods, and with thirty-six men held the castle for five days.

At a parliament, summoned in Kilkenny, A.D. 1374, the viceroy, Sir William de Windsor, officially announced that, in consequence of the expenditure required for *foreign affairs*, the king was no longer able to defray the great cost of maintaining wars for the defence and preservation of his territories in Ireland. Sir Nicholas Dagworth, on behalf of the Crown, solicited a reasonable contribution for the maintenance of the war, the salvation of the land, and the support of its government. But the prelates, lords, and commons excused themselves, and declared that, on account of their poverty and inability, they could not grant any subsidy. Whereupon the viceroy, in pursuance of secret instructions, and for the purpose of crushing out all resistance among the loyal English, attempted a *coup d'état* by issuing writs, requiring the clergy and laity to elect representatives and despatch them at their own expense to England, to consult and agree with the king and his council on the government and defence of his land in Ireland, and on aid to be levied there in support of His Majesty's war. This attempt to ignore the liberties of the English colony threw the whole country into confusion. The ecclesiastics elected representatives in compliment to His Majesty, but declared they were not bound, agreeably to the liberties, privileges, and customs of the Church and land of Ireland, to elect any of their clergy, or send them to any part of England for the purpose of holding parliaments. "We do not," they said, "grant, by any means, to the representatives we have elected any power of assenting to burthens or taxes, to be imposed on us or our clergy, to which we cannot yield, by reason of our poverty and daily expense in defending the land against the Irish." The nobles and commons also declared they were not bound to send representatives to England, and reserved to themselves the power of agreeing to subsidies.

The colonists, while holding debate upon their constitutional

rights, were simultaneously assailed on every side by the "enemies" and the "rebels." Newcastle, on the Wicklow frontier, was taken and dismantled. Communication by land with Wicklow being cut off, relief had to be sent to the garrison by sea. The O'Briens appeared before Limerick; Youghal was attacked by the clan Gibbon and the De Roches; Adare was burned; the viceroy feared to proceed southward; and the Bishop of Meath was sent with relief to the remaining colonists of Munster. The war was carried on by forced loans, and by exacting supplies from the wretched peasantry. The English men-at-arms and archers disbanded, and attempted to return to England, but were prevented from so doing by orders for their arrest, sent to the seaport towns.

The reign of Richard II. opened with still greater humiliation and disaster. An ordinance appears on the Rolls of the English Chancery in Dublin, whereby, after reciting that Art Mac Murragh Cavanach, assuming to be chief captain of the Irish in Leinster, and claiming eighty marks a year from the King of England as his fee, had assembled a multitude of Irish, and committed divers slaughters, devastations, and burnings, in the counties of Wexford, Kilkenny, Carlow, and Kildare, and would not make peace until his demand was satisfied, it was ordered that, to prevent further imminent danger and peril, the viceroy should, out of his own money, advance one quarter of the sum demanded, and retain Art on behalf of King Richard for one year. The Irish chiefs might now have found levying war against the English Government highly profitable, but for the poverty of the Dublin treasury. Murragh O'Brien advanced upon Leinster, whence, after some negotiation, he agreed to retire in consideration of one hundred marks. At this time there was in the Irish treasury no more than nine marks, and the balance was made up by borrowing the amount in the following manner:—From the Prior of the Hospitallers, sixteen marks; from William Fitzwilliam, a horse, price twenty marks; from John Fitz-Gerand, Master of the Hospitallers of Kilclogan, a horse and a cuirass, price twenty marks; from Robert Lugteburgh, a horse, price twenty marks; from John More, a bed, price thirty shillings; from Sir Patrick and Robert de la Freigne, seven marks and ten shillings.

We now arrive at the celebrated expedition of Richard II. to

Ireland, which is thus described by an English historian :—" The Irish rebels were, on their submission, taken under protection, and obtained a promise of a full pardon on payment of a proportionate fine. Richard, though he devoted much of his time to parade, did not neglect the reformation of the Government. Grievances were redressed, the laws enforced, tyrannical officers removed, and the minds of the natives gradually reconciled to the superiority of the English."—Lingard, Vol. III., p. 176.

As a rule, every successive English historian appears anxious to obliterate the records of English failure, and to tone down disasters until they assume the appearance of success. In the seventeenth century, Sir John Davis, then also attempting to represent this expedition in the most favourable light, tells the history of Richard's Irish expedition as follows :—" This king committed the government to such great lords successively as he did most love and favour : first, to the Earl of Oxford, his chief minion, whom he created Marquis of Dublin and Duke of Ireland ; next, to the Duke of Surrey, his half-brother ; and lastly, to the Lord Mortimer, his cousin and heir-apparent.

" Among the Patent Rolls in the Tower, the ninth of Richard II., we find five hundred men-at-arms at twelve pence a piece per diem, appointed for the Duke of Ireland (De Vere) *super conquestu illius terræ per duos annos*. For these are the words of that record ; but for the other two lieutenants, I do not find the certain number whereof their army did consist. But certain it is, they were scarce able to defend the English borders, much less to reduce the whole island. For one of them, viz., the Earl of March, was himself slain upon the borders of Meath ; for revenge of whose death the king himself made his second voyage into Ireland, in the last year of his reign. For his voyage, in the eighteenth year of his reign (which was, indeed, a voyage-royal), was made upon another motive and occasion, which was this : Upon the vacancy of the empire, this king having married the King of Bohemia's daughter (whereby he had great alliance in Germany), did, by his ambassadors, solicit the Princes Electors to choose him emperor ; but another being elected, and his ambassadors returned, he would needs know of them the cause of his repulse in that competition. They told him plainly that the princes of Germany did not think him fit to



command the empire, who was neither able to hold that which his ancestors had gained in France, nor to rule his insolent subjects in England, nor to master his rebellious people of Ireland. This was enough to kindle in the heart of a young prince a desire to perform some great enterprise. And, therefore, finding it no fit time to attempt France, he resolved to finish the conquest of Ireland; and, to that end, he levied a mighty army, consisting of four thousand men-at-arms, and thirty thousand archers, which was a sufficient power to have reduced the whole island, if he had first broken the Irish with a war, and after established the English laws among them, and would not have been satisfied with their light submission only, wherewith in all ages they have mocked and abused the State of England. But the Irish lords, knowing this to be a sure policy to dissolve the forces which they were not able to resist (for their ancestors had put the same trick and imposture upon King John and King Henry the Second), as soon as the king was arrived with his army, which he brought over under St. Edward's banner (whose name was had in great veneration amongst the Irish), they all made offer to submit themselves. . . . The men of Leinster—namely, Mac Murrough, O'Byrne, O'Moore, O'Murrough, O'Nolan, and the chief of the Kinshelagh, in an humble and solemn manner, did their homages, and made their oaths of fidelity to the Earl Marshall, laying aside their girdles, their skeins, and their caps, and falling down at his feet upon their knees, which, when they had performed, the earl gave each of them *osculum pacis*.

“ Besides, they were bound by several indentures, upon great pains to be paid to the Apostolic Chamber, not only to continue loyal subjects, but that by a certain day prefixed, they and all their swordmen should clearly relinquish and give up unto the king and his successors all their lands and possessions which they held in Leinster, and (taking with them only their movable goods) should serve him in his wars against his other rebels. In consideration whereof the king should give them pay and pensions during their lives, and bestow the inheritance of all such lands upon them as they should recover from the rebels in any other part of the realm. And thereupon a pension of eighty marks *per annum* was granted to Arthur mac Murrough, chief of the Kavanaghs; the enrolment whereof I found in the White Book of the Exchequer here. . . .

“These indentures and submissions, with many other of the same kind (for there was not a chieftain or head of an Irish sept, but submitted himself in one form or other), the king himself caused to be enrolled and testified by a notary public, and delivered the enrolments with his own hands to the Bishop of Salisbury, then Lord Treasurer of England, so as they have been preserved, and are now to be found in the office of the King’s Remembrancer there.

“With these humilities they satisfied the young king, and by their bowing and bending, avoided the present storm, and so brake that army, which was prepared to break them. For the king, having accepted their submissions, received them in *osculo pacis*, feasted them, and having given the honour of knighthood to divers of them, did break up and dissolve his army, and returned into England with much honour and small profit (saith *Froissard*). For though he had spent a huge mass of treasure in transporting his army, by the countenance whereof he drew on their submissions, yet did he not increase his revenue thereby one single pound, nor enlarged the English borders the breadth of one acre of land; neither did he extend the jurisdiction of his courts of justice one foot further than the English colonies, wherein it was used and exercised before. Besides, he was no sooner returned into England, but those Irish lords laid aside their masks of humility, and scorning the weak force which the king had left behind him, began to infest the borders; in defence whereof, the Lord Roger Mortimer, being then the king’s lieutenant, and heir-apparent of the Crown of England, was slain as I said before. Whereupon, the king being moved with a just appetite of revenge, came over again in person, in the twenty-second year of his reign, with as potent an army as he had done before, with a full purpose to make a full conquest of Ireland. He landed at Waterford, and passing from thence to Dublin, through the waste countries of the Murroghs, Kinshelaghcs, Cavanaghcs, Birnes, and Tooles, his great army was much distressed for want of victuals and carriages. So as he performed no memorable thing in that journey, only in the Cavanaghcs’ county, he cut and cleared the passes, and bestowed the honour of knighthood upon the Lord Henry, the Duke of Lancaster’s son, who was afterwards King Henry the Fifth, and so came to Dublin,

where, entering into counsel how to proceed in the war, he received news out of England of the arrival of the banished Duke of Lancaster at Ravenspurgh, usurping the royal authority, and arresting and putting to death his principal officers. This advertisement suddenly broke off the king's purpose, touching the prosecution of the war in Ireland, and transported him into England, where shortly after he rendered both his reign and his life. Since whose time, until the thirty-ninth year of Queen Elizabeth, there was not any army sent over of a competent strength or power to subdue the Irish; but the war was made by the English colonists only to defend their borders; or if any forces were transmitted over, they were sent only to suppress the rebellions of such as were descended of English race, and not to enlarge our dominion over the Irish."

Sir John Davis omitted to state that Richard's army, after its short campaign against M'Murrough, reduced to utmost destitution, and entirely disorganised, only escaped by the fortunate arrival of the English fleet.

At the commencement of the fifteenth century, portions only of the four shires of Dublin, Meath, Kildare, and Louth, acknowledged the English jurisdiction. The three great lords of Kildare, Desmond, and Ormonde acted as independent princes, excluding the royal interference. The colonists found the Statute of Kilkenny more irksome than beneficial. Constant licences were granted by the Crown to elude its enactments. The native Irish lived in complete independence of the English Government. As for the English residents within the Pale, their condition is thus described in Mr. Gilbert's valuable history of the viceroys of Ireland:—"The internal condition of the settlement and manifold injustices perpetrated by the officials of the Colonial Government, or those under their control, tended to repel, rather than to attract, the Irish towards the English system as then administered. Many of the judges and chief legal officials of the colony were illiterate, and, ignorant of law, obtained their appointments by purchase, and leased them to deputies, who promoted and encouraged litigation, with the object of accumulating fees. Commissioners of Oyer and Terminer were multiplied, before whom persons were constantly summoned by irresponsible non-residents, to such an extent that no man could tell when he might be indicted or outlawed, or if a



process had issued to eject him from his property. The king's officers often seized lands, and appropriated the results, as long as legal subterfuges enabled them to baffle the claims of the rightful proprietors; and thus agriculture and improvements were impeded. Ecclesiastics, lords, and gentlemen, were not unfrequently cast into gaol by officers of the Crown on unfounded charges, without indictment or process, and detained in durance till compelled by rigorous treatment to purchase their liberation. The agricultural settlers and landholders were harassed by troops of armed kerns and mounted idlemen, who levied distresses, maltreated and chained those who resisted, and held forcible possession of the farmers' goods, till redeemed by money. The troops engaged for the defence of the colonists became little less oppressive than enemies. Under the name of livery, the soldiers took, without payment, victuals for themselves and provender for their horses, and exacted weekly money payments, designated 'coygues.' The constables of royal castles and the purveyors of the households of the viceroy seldom paid for what they took; and for the purpose of obtaining bribes to release their seizures, they made exactions much more frequently than they needed."

In the reign of Henry V., so rapidly did the colonists emigrate back to England that the English Parliament enacted that all Irishmen and Irish mendicant clerics should, for quietness and peace within the kingdom of England, and for the increase and filling of the land of Ireland, be voided out of the realm of England, under pain of losing their goods and being imprisoned during the royal pleasure.

The history of the feebleness of the English executive, and their fruitless efforts to maintain their hold upon the Pale, is fully exemplified by the legislation of the next two reigns, contained in the Irish Statute Book. The 25th Henry VI., chap. 24, is as follows:—"For that that\* now there is no diversity in array between the English marchers and the Irish enemies, and so by colour of the English marchers the Irish enemies do come from day to day to other into the English counties as English marchers, and rob and pill by the highways, and destroy the common people

\* Sic.

by lodging upon them in the nights, and also do kill the husbands in the nights, and do take their goods to the Irishmen, wherefore it is ordained and agreed that no maner man, that will be taken for an Englishman, shall have no beard above his mouth, that is to say, that he shall have no hairs upon his upper lip, so that the said lip be once, at least, shaven every fortnight, or of equal growth with the nether lip. And if any man be found amongst the English contrary thereunto, that it shall be lawful for every man to take them and their goods as Irish enemies, and ransom them as Irish enemies."

The conduct of the Irish retainers of the members of the English executive is described in the next chapter of the Statute:—"Divers Irish enemies be many times received by lieutenants and justices of this land to become liegemen, and thereto are sworn to be loyal lieges during their lives, and after many times they do not perimplish the same, but do rob, burn, and destroy the king's liege-people, and the same liege-people for fear to be impeached, dare not kill nor imprison the said enemies, nor take their goods nor chattels, whereby the said liege-people do take great hurt and hinderance."

The oppressions suffered by the inhabitants of the Pale appear in the recitals of the 28th Henry VI., chap. 1:—"Whereas the marchers of the county of Dyvelin, and other marchers of sundry counties, and other men within the land of Ireland, do keep horsemen and footmen, as well Irish as English, more than they can maintain at their own costs, or upon their own tenants, and from day to other do coyne them upon the poor husbands and tenants of the land of Ireland, and oppress and destroy them, and namely, in time of harvest upon their corn and meadows, with their horses, both day and night, and the captains of the said marchours, their wives and their pages, certain times of the year do gather and bring with them the king's Irish enemies, both men and women, and English rebels, with their horsemen and footmen, as well in time of war as of peace, to night suppers, called cuddies, upon the said tenants and husbands, and they that are the chief captains of the said marchers do lead and lodge them upon one husband one hundred men, horsemen and footmen, some night, and upon one other tenant or husband so many one other night, and so every captain,

and their wives, pages, and sons, as well as themselves, and every of them do lead and bring with them so many of the said Irish enemies and English rebels, with their horsemen and footmen, and so they espy the secrecy of the said land; and after that every of the said marchers, and their wives, pages, and sons, have overgone the husbands and tenants of the said marchers in the form aforesaid, then they go to the captains aforesaid, and there the thieves of the said marchers do knit and confeder together. And that, that\* the said marcheours thieves do steal in the English country, they do put out to them in the march, and in time of war the men of the said marcheours, as well horsemen as footmen, do guide the said Irish enemies and their thieves into the English country, and what tenant or husband will not be at their truce, they do rob, spoil, and kill, and for the most part the said land is wasted and destroyed. And if such rule be holden not punished, it is like to be the utter destruction and undoing of the said land."

That the English Government had neither the means nor the inclination to preserve order, appears by the third chapter of the same Act, by which it intrusted to mere volunteers the maintenance of order and punishment of crime:—"Whereas, thieves and evil-doers increase in great store, and from day to other do increase in malice more than they have done hitherto, and also do cause the land to fall into decay and poverty, and waste every day more and more, and so it is like to be confounded, if there should not be remedy. . . . It shall be lawful to every liegeman of our Sovereign Lord the King, all manner notorious and known thieves, found robbing, and spoiling, or breaking houses by night or by day, and thieves found with the manner, to kill them, and to take them without impeachment, arraignment, or grievance, to him to be done by our Sovereign Lord the King, his justices, officers, or any of his ministers, for any such manslaughter or taking."

This provision, not proving sufficiently stringent, it was enacted by the 5th Edward IV., chap. 2, as follows:—"Item, at the request of the commons, that for that that† divers great robberies, thefts, and murders be done from night to night by thieves upon the faithful liege-people of the king, within this land of Ireland, specially

\* *Sic.*† *Sic.*



and most commonly in the county of Meath, which hath caused and made great desolation and waste in the said country. . . . It shall be lawful to all manner of men that find any thieves robbing, by day or by night, or *going or coming to rob, or steal, in or out, going or coming*, having no faithful man of good name or fame in their company in English apparel, upon any of the liege-people of the king, that it shall be lawful to take and kill those, and cut off their heads, without any impeachment of our Sovereign Lord the King, his heirs, officers, or ministers, or of any others, and of any head so cut, in the county of Meath, that the cutter of the said head, and his ayders there to him, cause the said head so cut to be brought to the Portreffe of the town of Trim, and the said Portreffe to put it upon a stake or spear upon the castle of Trim; and that the said Portreffe shall give his writing under the common seal of the said town, testifying the bringing of the said head to him. And that it shall be lawful, by authority of the said Parliament, to the said bringer of the said head, and his ayders to the same, for to distrain and levy by their own hands, of every man having one plough-land in the barony where the said thief was so taken, two pence; of every man having half a plough-land in the said barony, one penny; and of every cottier having house and smoke, one half-penny; and if the same Portreffe refuse for to give the said certificate by writing freely under his said common seal, then the said Portreffe to forfeit to the said bringer of the said head ten pounds; and that he may have his action by bill or by writ, in whatsoever court shall please the bringer of the said head, for the said ten pounds, against the said Portreffe.”\*

\* It may have been expected that this Act would work; the remedy was summary, the remuneration moderate, and recoverable by the simple process of distress. As to the general working of such an Act, *vide* the trial of Whollaghan in A.D. 1798, before a Court-martial, presided over by Lord Enniskillen. “The real defence was, that the prisoner and his companions had been sent out with general orders from their officer to shoot anybody they pleased. The Court seemed to have been of opinion that such orders were neither unusual nor unreasonable; and it is difficult to collect from their finding that they thought the prisoner had been guilty even of an error of judgment. They found ‘that the prisoner did shoot and kill Thomas Dogherty, a rebel; but do acquit him of any malicious or wilful intention of murder.’”—Massy’s History of England, Vol. IV., p. 386.

This Act, which is usually cited as evidence of the ferocity of the English Government, is the clearest proof of its absolute inefficiency. The executive, unable to maintain order themselves, appeal to the unfortunate colonists, and license them in their own protection to fulfil the duties of a government which had abandoned its functions.

This feebly-forcible legislation did not check the incursions of Irish thieves, and for this purpose an Act was passed in the celebrated Parliament held at Drogheda in A.D. 1494: "As the marches of four shires lie open, and not fensible in fastness of ditches and castles, by w<sup>h</sup> Irishmen do great hurt in preying the same; it is enacted that every inhabitant, earthtiller, and occupier in said marches, i.e., in the county of Dublin, from the water of Auliffy to the mountain in Kildare, from the water of Auliffy to Trim, and so forth to Meath & Uriel, as said marches are made and limited by an Act of Parliament, held by William, Bishop of Meath, do build and make a double ditch of six feet high above ground, at one side, or part w<sup>h</sup> mireth \* next unto Irishmen, between this & next lammes, the s<sup>d</sup> ditches to be kept up & repaired, as long as they shall occupy s<sup>d</sup> land, under pain of 40<sup>s</sup>., &c., &c. This ditch was broken down by the Irish enemy, but subsequently repaired, "to the great succour, comfort, and defence of the county Dublin." For the maintenance of this formidable fortification, penalties were enacted against any subject who broke a tract or made a road over it, and that all hogs, goats, cows, or cattle, injuring it by rooting, grazing, or otherwise, should be confiscated and taken at the king's price, the proceeds to be expended on the repairs of the wall.

The Government having no forces whatsoever to maintain order, the inhabitants, in self-defence, combined for that purpose. In 12th Edward IV., it was enacted that there should be a fraternity of arms of the number of thirteen persons of the most honourable and faithfully disposed in the counties of Kildare, Dublin, Meath, and Louth, three out of each county and four for Meath; that they and their successors should assemble in Dublin every St. George's Day, and choose their captain for the next year, the captain and brethren to be created a society by the name of the captain and

\* Sic.

brethren at arms; the captain to keep one hundred and twenty archers on horseback, forty horsemen, and forty pages, to have for such purpose one twelve pence per pound out of all merchandise sold in Ireland, the fraternity to have power to make laws for the good governance of the society, and to elect a new brother in the place of any deceasing, and the captain to have power to apprehend all outlawed rebels that would not be justified by law.

The territories of the Pale having been, contrary to the provisions of the Statute of Kilkenny, gradually occupied by Irish, a feeble attempt was made by the Parliament to force these intruders to become English by Act of Parliament; and it was enacted by the 5th Edward IV., chap. 3, "That every Irishman that dwells betwixt or among Englishmen, in the county of Dublin, Meath, Uriel, or Kildare, shall go like an Englishman in apparel and shaving of his beard above the mouth, and shall be within one year sworn the liegeman of the king in the hands of the lieutenant or deputy, or such as he will assign to receive this oath, *for the multitude that is to be sworn*, and shall take to him an English surname of one town, as Sutton, Chester, Trym, Skryne, Cork, Kinsale; or colour, as white, black, brown; or art or science, as smith or carpenter; or office, as cook, butler; and he and his issue shall use this name under pain of forfeiting of his goods yearly, till the premises be done, to be levied two times by the year to the king's wars."

Legislation of this nature was never nor could never be practically enforced, and such futile attempts at reform merely prove that the intruding Celts had already invaded the very heart of the English colony.

The regular assembling of the Irish Parliament became impracticable, if the law, that the proctors, knights, and burgesses, should be residents of the diocese, county, or town for which they served, were longer enforced; and by the 18th Edward IV., c. 2, it was enacted: "The premises considered, and how great a distance and how great a peril it is of the king's Irish enemies and English rebels, *as well as by sea as by land*, and openly known how great mischiefs so oftentimes have been done in the ways, as well in the south part and the north, *as in the east* and in the west part of the said land, by reason whereof they may not send proctors,



knights, citizens, or burgesses, according to the said acts and ordinances; wherefore, if any such acts be, it is ordained that such acts be void."

In consequence of such enactments, or rather of the facts recited in them, the Irish Parliament dwindled into an assembly of the counties adjoining Dublin, and became a mere tool in the hands of the Government.

It is unnecessary to accumulate further evidence as to the character of the English Government in Ireland. It has been accused of violence and tyranny toward the Irish population. During this period at least it may be acquitted of such a charge, but convicted of faults much more serious—of imbecility, folly, and corruption. The stringent and ferocious statutes, which, down to Henry VIII.'s reign, are to be found in our Statute Book, are evidence of fear and helplessness, not acts of overbearing force. If a capable executive had existed in Dublin, marauders and thieves could not have infested the adjoining district; they would either have abstained from such courses, or if they had persevered, would have been hanged by the Government, and nothing said upon the subject. It was the helplessness of the executive which, as a last resource, appealed to private violence for the repression of public disorder.

In the reign of Henry VI., Richard, Duke of York, was sent over to Ireland as viceroy, not for the purpose of maintaining the English Government, but rather in the hope of removing him from England by a colonial appointment, then equivalent to temporary exile. The duke, by his brilliant personal qualities, his moderation, and justice, acquired extreme popularity among the population, both English and Celtic, and attached to himself, to a great extent, the nobility and chiefs of both nationalities. But from so fair a commencement flowed the misfortunes which gave the mortal blow to the Anglo-Norman colony.

When exiled from England in 1459, the Duke took refuge in this island, and sought in the Irish Parliament a support against the then dominant Lancastrian party. In this he fully succeeded. In opposition to the English attainder, he was formally acknowledged as viceroy by the Anglo-Irish Parliament. Supported by the duke's presence and authority, the Irish Parliament declared

the complete independence of the Irish Legislature, and boldly affirmed those constitutional rights which, though involved in the existence of a separate parliament, had not hitherto been categorically expressed. They asserted their rights to a distinct coinage, and their absolute freedom from all laws and statutes except such as were by the Lords Spiritual and Temporal, and Commons of Ireland freely admitted and accepted in their parliament. They declared that no Irish subject was bound to answer any writs except those under the great seal of Ireland, and enacted heavy penalties against any officer who should attempt to put English decrees in force in Ireland. They, in fact, took the same position and laid down the same principles as the celebrated parliament of 1782. The Irish lords proved their devotion to the house of York in the two fatal battles of Sandal Castle and Stoke, in the latter of which the flower of the colony perished, but not without honour.

The position of Henry VII. towards Ireland was peculiar. The colonists had shown themselves the most determined enemies of his house. He had no desire, therefore, even if he had the means, to support them against the Celtic population. It was his interest rather to cripple their power, and to crush out the independence of the Irish Parliament. With this view, the deputy, Sir Edward Poynings, coerced the parliament of the Pale to pass the celebrated Act of the 10th Henry VII., chap. 4, enacting that "No parliament be holden hereafter in the said land (of Ireland), but at such season as the king's lieutenant and council there first do certify the king, under the great seale of that land, the causes and considerations, and all such acts as to them seemeth, should pass in this same parliament; and such causes, considerations, and acts affirmed by the king and his council, to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said parliament under his great seal of England had and obtained; that done, a parliament to be had and holden after this form and effect before rehearsed: and if any parliament be holden in that land hereafter, contrary to the form and provision aforesaid, it be deemed void, and of none effect in law."

This, the most disgraceful Act ever passed by an independent legislature, and wrung from this local assembly of the Pale, bound future Irish Parliaments for three hundred years. At the same

time, all English statutes then existing in England, were by the same statute (chap. 22) made of force in Ireland. At the same time also it was enacted that the chief castles in Ireland should be committed exclusively to governors of the realm of England. The Irish Parliament was thus deprived of all initiatory power, and reduced to the position of French Parliaments, whose sole duty it was to register the edicts of the sovereign. English legislation was introduced *en bloc*, and the chief fortresses were secured to the Crown of England, or rather perhaps to the house of Lancaster.

An attempt was then made to govern Ireland through exclusively English officials, which met with the usual failure attendant upon such policy. The English king was determined to continue Lord of Ireland, but desired to avoid the expense of maintaining his position and the duties which it imposed upon him. The plan next devised was to commit the government of Ireland to the most troublesome and powerful noble, who, in consideration of his nominally acting as the king's lieutenant, was permitted at his own expense to conduct the government for the benefit of himself and his faction. The principle of this policy is pointedly put in the apocryphal story that when the Bishop of Meath concluded his charges against the Earl of Kildare, by declaring that all Ireland could not rule this earl, the king replied, "Then in good faith shall the earl rule all Ireland."

Hence arose the Geraldine supremacy, which, with some interruptions, lasted till A.D. 1534. So utterly perverted during this period was the government to the private purposes of the Geraldines, that in consequence of of a personal feud between the Earl of Kildare and his son-in-law, Mac William of Clanricarde, the royal banner was carried at the Battle of Knock-Tow; in which the De Burghs, the O'Briens, Mac Namaras, O'Carrolls and other southern chiefs were defeated by the combined forces of the Pale, and the O'Reillys, Mac Mahons, O'Farrells, O'Donels, and other Northern chiefs.

The Geraldines, though brave and enterprising, courteous and generous, and possessing all the qualities which ensure personal popularity, were totally devoid of any of the qualities requisite for the character of a statesman, and had no higher views than the maintenance of their position as chiefs of the most powerful Irish



clan. The character and conduct of the Geraldines have lately been made the subject of contemptuous criticism by a well-known English historian; but if they were no better than he represents them, how great was the degradation and sin of the English Government, which purchased a nominal sovereignty by so gross a neglect of all its duties.

In A.D. 1534, the last Geraldine viceroy, being summoned to London, left his son, Thomas, "The Silken Lord," as deputy in Dublin.

Suddenly, the report spread that the earl had been executed in London. The executive was in the hands of a Geraldine, and the town was full of his followers. The English officials assembled in St. Mary's Abbey, not so much with the intention of dying at their posts, as devising how to save their lives and property. The Silken Lord resolved to disclaim his allegiance to the English Crown, and might, as the first step in such a course, have seized the castle and the capital; but, full of chivalrous, and perhaps theatrical ideas, he resolved to signalise his defection by some public and dramatic act. While the councillors sat in St. Mary's Abbey in doubt and terror, the young lord, followed by his adherents, burst into the chamber. He stood at the foot of the table, his followers flooded the hall. The Chancellor addressed them, with entreaties and arguments, imploring them to abandon their design. As none of the Geraldine retainers understood English, the oration was wasted upon them. For a moment Lord Thomas stood irresolute; but his Irish minstrel—the Irish minstrel of an English deputy—reminded him of the prowess and honour of his house. The Lord Thomas flung to the ground the sword of State, abjured his allegiance to the English Crown, and rode forth into the country, amid the shouts of "Crom-aboo."

Here ends the mediæval history of Ireland. The feeble reed upon which the English Government had lent pierced their hand. The miserable deceit of a nominal government, which had abdicated alike duty and power, was exploded for ever. The English rule in Ireland disappeared in a moment.

Three hundred and sixty-two years previously an English king "had turned his thoughts, in the proper spirit of a Catholic prince, to the object of widening the boundaries of the Church, explaining

the true Christian faith to ignorant and uncivilised tribes, and exterminating the nurseries of vice from the Lord's inheritance." Upon which occasion Pope Adrian IV. had declared, "observing as we do the *maturity of deliberation and the soundness of judgment exhibited in your mode of proceeding*, we cannot but hope that PROPORTIONATE SUCCESS will, with Divine permission, attend your exertions."

To what condition was Ireland reduced by the first three hundred and sixty-two years of English rule? I shall not myself attempt to describe it, nor shall I refer to any Irish author. The tale is told in the great document which stands first in the Irish State Papers of the reign of Henry VIII., "The State of Ireland, and the Plan of its Reformation."

"Who list make surmise unto the King for the reformation of his Land of Ireland, it is necessary to show him the estate of all the noble folks of the same, as well of the King's subjects and English rebels, as of Irish enemies. And first of all to make His Grace understand that there were more than 60 counties, called Regions, in Ireland, inhabited with the King's Irish enemies; some regions as big as a shire, some more, some less, unto a little; some as big as half a shire, and some a little less; where reigneth more than 60 chief captains, whereof some calleth themselves Kings, some King's peers in their language, some Princes, some Dukes, some Archdukes, that liveth, only by the sword, and obeyeth unto no other temporal person, but only to himself that is strong; and every of the said captains maketh war and peace for himself, and holdeth by the sword, and hath imperial jurisdiction within his room, and obeyeth to no other person, English or Irish, except only to such persons as may subdue him by the sword—also the son of any of the said captains shall not succeed to his father, without he be the strongest of all his nation; for there shall be none chief captain in any of the said regions by lawful succession, but by fort mayne and election; and he that hath strongest army and hardiest sword among them, hath best right and title; and by reason thereof there be but few of the regions that be in peace within themselves, but commonly rebelleth against their chief captain. Also in every of the said regions there be diverse petty captains, and every of them maketh war and peace for himself, without licence of the chief captain.

“Also, there be 30 great captains of the English folk, that followeth the same Irish order and keepeth the same rule, & every of them maketh war and peace for himself without any licence of the King or of any other temporal person, save to him that is strongest, and of such that may subdue them with the sword. Here followeth the names of the counties that obey not the King’s laws, and have neither justice, neither sherriff under the King, the county of Waterford, the county of Cork, the county of Kilkenny, the county of Limerick, the county of Kerry, the county of Connaught, the county of Ulster, the county of Carlow, half the county of Uryel, half the county of Meath, half the county of Dublin, half the county of Kildare, half the county of Wexford. All English folks of the s<sup>d</sup> counties be of Irish habits, of Irish language, and of Irish conditions, except the cities and the walled towns. Also, all the English folk of the said counties, for the more party would be right glad to obey the King’s laws, if they might be defended by the King of the Irish enemies; and because they defend them not, and the King’s deputy may not defend them, therefore they are all turned from the obeisance of the King’s laws, and liveth by the sword after the manner of the Irish enemies; and though that many of them obey the King’s deputy, when it pleaseth them, yet there is none of them all, that obeyeth the King’s laws. Also, there is no folk daily subject to the King’s laws, but half the county Uryel, half the county of Meath, half the county of Dublin, half the county of Kildare; and there be as many Justices of the King’s Bench, and of the Common Pleas, and as many Barons of the Exchequer, and as many officers, ministers, and clerks in every of the said counties as ever there was, when all the land for the most part was subject to the laws.

“Wherefore the said subjects be so grievously vexed daily with the said Courts, that they be glad to sell their freeholds for ever, rather than to suffer always the exactions of the said Courts, like as the freeholders of the marches, where the King’s laws be not obeyed, be so vexed with extortion, that they be glad in likewise to sell their lands and freeholds to such persons, that compelleth them, by means of extortion, to make alienation thereof, rather than always to bear and be under the said extortion.

“And so, what with the extortion of coygne and livery daily,



and with the wrongful exaction of hosting money of carriage and cartage daily, and which with the King's great subsidy yearly, and with the said tribute and black rent to the King's Irish enemies, and other infinite extortion and daily exactions, all the English folk of the counties of Dublin, Kildare, Meath, and Uryell, be more oppressed than any other folk of this land, English or Irish, and of worse condition be they at this side than in the marches.

“ The premises considered the Pandar showeth in the first chapter of his book, called *Salus Populi*, that the holy woman Brigitta used to inquire of her good angel many questions of secret divine, and among all other, she inquired of what Christian land was the most souls damned? The angel showed her a land in the west part of the world. She enquired the cause why? The angel said for there the Christian folk dieth most out of charity; she enquired the cause why? The angel said, for there is most continual war, root of hate and envy, and of vices contrary to charity; and without charity the souls cannot be saved. And the angel did show to her the lapse of the souls of Christian folk of that land, how they fell down into hell as thick as any hail shower. And pity thereof moved the Pandar to consign his said book, as in the said chapter plainly doth appear, for after his opinion this is the land the angel understood; for there is no land in the world of so long continued war within himself, ne of so great shedding of Christian blood, ne of so great robbing, spoiling, praying, and burning, ne of so great wrongful extortion continually as Ireland. Wherefore it cannot be denied that the angel did understand the land of Ireland.

“ What might the King do more than he has done? He did conquer all the land unto little, and did inhabit the same with English folk, subject to his laws, after the manner of England, and so the land did continue and prosper 100 years and more; and since the land hath grown and increased near hand 200 years in rebellion against the King and his laws. Many folk doth enquire the cause why that the Irish folk be grown so strong, and the King's subjects so feeble, and fallen in so great rebellion for the more part.

“ What pity is it to hear, what ruth is it to report, there is no tongue that can tell, no pen that can write. It passeth far the

orators, and the Muses, all to show all the order of the noble folk, and how cruel they enterith the poor common people, what danger is to the king anent God, to suffer the land whereof he bear the charge, and the care temporal under God, under the see Apostolical, to be of said disorder, so long without remedy; it were more honour and worship to surrender his claim thereto, and to make no longer persecution thereof, than to suffer his poor subjects always to be so suppressed, and all the noble folk of the land to be at war within themselves, in shedding of Christian blood alway without remedy. The herde must render account of his folk and the king for his.

“Some sayeth that the prelates of the Church and clergy is much cause of all the disorder of the land; for there is no archbishop, ne bishop, abbot, ne prior, parson, ne vicar, ne any other person of the Church, high or low, great or small, English or Irish, that useth to preach the word of God, saving the poor friars beggars; and where the word of God do cease, there can be no grace, and without the special [*grace*] of God the land may never be reformed; and by teaching and preaching of prelates of the Church, and by prayer or orison of the devout persons in the same, God useth always to grant his abundant grace; ergo the Church not using the premises is much cause of all the said disorder of this land.”

Such was the condition of Ireland after more than three centuries of English so-called government.

In the twelfth century the Irish Celts were in a state of political disorganisation, but they still had a feeling of nationality, and had the form at least of a national monarchy; and justice, criminal and civil, was administered among them according to a definite code of law; at the commencement of the sixteenth century there remained no tradition of national unity, no trace of an organisation by which they could be united into one people; the separate tribes had been disorganised by civil wars, and the original tribesmen were supplanted and oppressed by the mercenary followers of the several rivals for the chieftaincies. The Celtic population had found the rule of England scarcely less injurious to them than the invasions of the Danes.

The Anglo-Normans, thwarted in their first attempts at coloni-

sation by the watchful jealousy of England, had been since subjected to constant injustice and oppression, and in a relapse to a lower political and social state, sought for personal security and freedom, and an escape from the exactions of an inefficient and corrupt executive. The Anglo-Saxon tenants of the first feudal lords had wholly disappeared; they had either fled back to England, perished in the constant warfare to which they were exposed, or assumed the Irish dress and language. Of the many municipal and corporate towns established by the first settlers, most had been destroyed utterly; the residue had been reduced to an impoverished and ruinous condition.

Every trace of English government, save the miseries which it had caused, had passed away from Ireland. The English king had no force in Ireland, nor any ally, save the hereditary enemies of the house of Kildare. The English conquest was confessedly a failure. The Anglo-Norman colony had disappeared, or been absorbed in the Celtic population. If the King of England were any longer to be Lord of Ireland, the conquest of the island must be commenced again. The Irish question rose before English statesmen—Was England to hold Ireland, and, if so, how? Long the Tudor princes shrunk from looking this difficulty in the face; they temporised, vacillated, and sought some middle course, some compromise. But the Irish question became at length (amid the complications of the sixteenth century) the question of English politics. England found that she must either conquer Ireland, or herself succumb in the struggle.

For years was this struggle protracted; year after year brought on both islands fresh sufferings and misery; new wrongs inflicted and endured. Until after unstinted expenditure of blood and treasure, England trampled under her feet alike Norman and Celt—the O'Neill and the Geraldine; and by the defeat—almost the annihilation—of the inhabitants of Ireland, obtained a brief respite in this struggle of races, so often apparently concluded, yet as often renewed.



## CHAPTER XI.

---

### STATE OF IRELAND IN 1535.

THE history of the Anglo-Norman colony has now been brought down to the year 1534, the date of the lowest depression of English influence. The Celtic tribes had long since thrown off even a nominal submission to the English Crown; the Anglo-Norman lords had become either avowedly or practically independent; the English Pale itself was in the power of an insurgent deputy, and, save in some few seaboard municipalities, the King of England neither exercised authority nor commanded respect.

This state of things at last forced the English Government to elect whether it would abandon Ireland for ever, or seriously attempt to assert the rights and fulfil the duties of sovereignty.

At this period, the political opinions and desires of the English people, the character of the king, and the necessities arising from internal and foreign difficulties, forced the English Crown to adopt the latter course.

The end of the fifteenth century is ordinarily considered in the history of Europe as marking the passage from mediæval to modern society; but in no country was the change of political and social ideas so profound as in England.

In the civil wars of the Roses, the ancient nobility had been almost exterminated; in their stead there had sprung up a new nobility, creatures and adherents of the Crown. The trading classes were rapidly rising in wealth and importance. The new aristocracy and the *bourgeoisie* were alike influenced by the recollections of a period of licence and disorder; to them civil war and a disputed succession appeared the greatest of evils, and law and

order the supreme object of government. For law and order they were willing to make any sacrifice ; for those who disturbed society they had no mercy. They rallied to the Crown, as the representative of civil power, on every occasion, and against all disturbers of the peace ; they put down alike Catholic rebels and Protestant insurgents ; they approved of the execution of Catholics and the burning of Protestants ; at all risks they maintained the regular succession of a series of strong-willed and despotic severities, and in so doing almost established a despotism upon the ruins of the old Constitution.

The popular estimate of the character of Henry VIII. is formed with reference to particular acts of his reign, and the mode in which such specific acts were done, not from a fair consideration of the whole course of his policy, and a comprehension of the peculiar difficulties or necessities of his position. He is believed to have been a self-willed, overbearing, and rapacious ruler. It is, perhaps, impossible to rehabilitate his reputation, as has by some been lately attempted ; but it must by all serious students of history be admitted that the shades of his character have been deepened, and his many noble and generous qualities have been forgotten. The study of his official correspondence, especially the letters and instructions relative to Irish affairs, gives a much more favourable impression not only of his abilities, but also of his moral character. Like all his contemporaries, he was impressed with the paramount necessity of maintaining law and order ; he had a high opinion of the power and position of the Crown ; he had a not unjust confidence in his own abilities ; at the same time, he had a deep sense of his duties and responsibilities, a sympathy for the poor and weak, who were exposed to the oppression of the powerful or insolent, and a sincere dislike to shed the blood of, or use mere violence toward, the masses of the people. He independently formed his own opinions upon social and religious questions ; he deliberately selected the course of policy to be pursued ; the views he had once adopted he carried out unhesitatingly, and overbore all opposition to his will. Although generous in his confidence to those whose abilities or honesty he respected, he was an overbearing master to the secondary agents of the government. Towards traitors, properly so called, and unfaithful servants, he was merci-

lessly just ; he smote, often perhaps on insufficient grounds, all those who seemed to dispute his power, or thwart his plans, but in so doing he was supported by a belief in the correctness of his own views, and the consciousness of his own honesty of purpose. His own subjects understood him better than his historians. He was all through supported by the masses of the people. The violent and despotic acts of which he is accused, were done by a monarch who had no standing army, scarcely even a body-guard, and who resided close beside, almost within, the powerful and turbulent city of London. As regards his Irish policy, his State Papers disclose a moderation, a conciliatory spirit, a respect for the feelings of the Celtic population, a sympathy with the poor, which no subsequent English ruler has ever displayed.

Among such a people, and under such a sovereign, there arose a class of statesmen almost unique. Most of the great Englishmen of the Tudor period were employed in the affairs of Ireland, and it is necessary to form some estimate of their general character. They were filled with the duty of maintaining law, of administering justice, and repressing disorder ; they had lofty conceptions of the duty of the State, but they scrupled not to commit any act in the service of the Crown, and conducted themselves towards the Government as if they had been mere court favourites and minions. They were inspired with a love of all that was grand and beautiful, and yet were capable of inexpressible baseness, rapacity, and intrigue. They all repeated religious sentiments—many of them in private were profoundly religious—yet they were guilty of iniquities which cannot and should not be palliated. To us their character is a metaphysical puzzle ; we find ourselves unable to harmonise qualities so discordant. In the government of Ireland these good and evil qualities were equally exhibited ; unfortunately their ill deeds lived in the memory of the people—their great and noble qualities were speedily forgotten.

In 1534, Henry VIII. had lately divorced his first wife, and, by his breach with the Holy See, had accomplished one of the most daring political acts ever attempted by a sovereign. By this course of policy, which he had deliberately adopted, he had excited the minds of the reforming party, and had incurred the hostility of the Church, and of all sincere lay members of the Catholic body. He



was beset with dangers on every side. A less resolute king might have attempted to play off the opposing factions against each other, or been forced definitively to place himself at the head of one or other ; but Henry saw that even the temporary supremacy of either party would entail disorder, possibly cause a civil war ; that, as the events of the two succeeding reigns proved, the reformers would drift into religious and social revolution, and the Catholics aimed at reaction, persecution, and a change in the succession to the Crown. Confident in his own power, he declared how far, and no farther, the Reformation should proceed ; he relied upon the mass of the nation to support him against the fanatics of either party, and he succeeded in his policy. He checked on one hand the Reformers, on the other hand he crushed the Catholics, and, firmly holding on his course, maintained the supremacy of the civil government.

If the internal state of England was perilous, its foreign relations involved greater dangers. By the consolidation of France, and the rise of the monarchy of Charles V., the political condition of Europe was altogether changed. The kings of France and the house of Hapsburg struggled for the supremacy of Europe ; the power of all other European states was relatively diminished. Such was notably the case with England. Its policy had ceased to be a protracted duel with France, in which England was more frequently the aggressor. Henry VIII. was unable successfully to cope with either Francis or Charles ; by their united force he might have been utterly overpowered. Thus his only foreign policy consisted in an attempt to preserve the balance of power by siding alternately with France and Spain, and, as opportunity offered, mediating between them. In this policy he had been assisted by the pope, whose interests coincided with his own. By the divorce of his wife and his breach with the Holy See, his foreign difficulties were aggravated. The personal hostility of Charles was excited by the insult to his aunt ; the pope, in maintenance of the rights or usurpations of the Church, would henceforth throw the whole weight of Catholicism into the hostile scale, and assist the foreign enemies and aggravate the domestic troubles of England. In this state of affairs, the foreign enemies of England for the first time discovered how favourable a point of attack

Ireland presented, and for the first time an Irish deputy, heading an insurrection against the king, appealed to the Continental powers for aid, and attempted to make the state of Ireland a European question. Thus, at one and the same time, the disposition of the English people, the character of the king, domestic and foreign affairs, the necessities arising from the struggle for existence, into which England was fast drifting, all tended to the introduction of a new and vigorous policy as regarded the government of Ireland. To comprehend the magnitude of the task to be accomplished, to appreciate the nature of the protracted, or rather intermittent, struggle which ensued, extending over a period of seventy years, it is necessary to understand the condition, both social and religious, of Ireland in the year 1534.

The inhabitants of Ireland did not constitute a nation nor possess any common interest or bond of union; even the English portion of the population was divisible into distinct sections, differing from each other in their form of government and social condition. The native Celtic tribes, the Hibernicised Normans and English, the English corporate seaports, and the subjects of the Pale must be separately considered.

The Celtic tribes had for above two centuries enjoyed a practical independence; they still continued organised upon the Celtic tribal system, were ruled according to their Brehon code, and used their national dress and customs; in the desultory warfare of two centuries, although the English Government from time to time attempted to assert its sovereignty, and occasionally claimed to have succeeded in so doing, the general result was altogether in favour of the natives. The Irish tribes upon the marches were exposed to the hostings of the Pale; but the injury they inflicted and the plunder they secured far more than counterbalanced their occasional losses. The usual result of the border war is very clearly stated in a State Paper of the reign of Elizabeth:—"And when in time of war with any Irishry of power—moveth the governor to proclaim a main journey for 30 or 40 days to invade the enemy's country, the governor goeth with the army and force of the English Pale to their great charge, where they continue out their days whilst their victuals last, and then fain to return home again, as many times they do, without booty or other harms they do, or yet

can be done to a waste country, the inhabitants whereof, whilst the English host is in their country, shunneth all their cattle into woods or pastures, where they continue until the English army be gone; and then do they come into the plains of their country with their cattle again, where they are as ready anew to invade and spoil the English Pale as before; as commonly they do bring with them great booties out of the borders of the same, whereof if recovery be not made by hot pursuit of some part of that they take away, very seldom or never can there be found anything of theirs worth the having to be taken from them for the same again. So as by these appearances, wheresoever the service is done, the same is a charge to the Queen's Majesty, a burden to the liege people, to the decay both of them and the English soldiers, fretting one another of themselves, with small defence to the Pale, nor yet can be any great scourge to the enemy, who always gaineth by our losses and we never gain by them, although we win all that we play for, the stakes being so unequal, viz., not a penny against a pound, for that the English Pale is planted with towns and villages, inhabited with people resident, having goods, chattels, corn, and household stuff, good booties for the Irish enemies to take from us, and their countries being kept of purpose waste, uninhabited, as where nothing is nothing can be got."\*

This description of the waste condition of the tribe land must be confined to the marches of the Pale, or considered as descriptive of the difference between the lands of the English agricultural and town settlements, and the districts occupied by tribes still to a great extent pastoral. On one occasion it was reported that the territory of the O'Connors was full of corn, for the destruction of which scythes were supplied to the hosting of the Pale.

How far the general balance of success was against the English is shown by the recitals of the 28th Henry VIII., chapter 2,—“That whereas the king's Irish enemies have been heretofore of great force and strength within this land of Ireland, by reason whereof they have charged divers the king's towns and faithful subjects with tributes and exactions, for consideration that the said Irishmen which do take the said tributes should defend the king's

\* Carew MSS., Vol. III., p. xcvi.



said subjects, which they have not done, ne do not, and yet the king's said subjects at the charge to pay them the said unlawful impositions, to their utter impoverishing, &c."

When such was the condition of the Irishry upon the borders of the Pale, it is needless to insist that the tribes removed from immediate contact with the English settlement were in the enjoyment of practical independence.

It is to be remarked that from the date of the attempt to reduce the Irish, in the reign of Richard II., to 1535, the condition of the tribes had not improved, but rather retrograded. The evils of the Celtic system were aggravated, its counterbalancing advantages were obsolete and forgotten. The several tribes were devoid of any central authority or bond of union. The idea of nationality had disappeared; although the English were styled strangers and invaders, the national union of the native tribes had not been attempted for two centuries. The tribesmen exhibited to their immediate chief extraordinary devotion and fidelity; but being thoroughly imbued with *tribal patriotism*, and having no higher idea of *country*, they hated the adjoining tribes, their hereditary enemies, more bitterly than the foreign enemy; no power existed capable or desirous of restraining the ambition or rapacity of the meanest chieftain.

The English Government, in its enfeebled condition, so far from seeking to maintain peace among the tribes, sought its own safety in encouraging their disorders. In 1520, the Archbishop of Dublin was despatched to Waterford to allay the discords, debates, and variances existing between the Earl of Desmond and Sir Piers Butler; his instructions, after expressing the desire of the king to see concord re-established among the Butlers, contains a passage in relation to the native Irish. "Now at the beginning politic practices may do more good than exploit of war, till such time as the strength of the Irish enemy shall be enfeebled and diminished, as well by getting their captains from them as by putting division among them, so that they join not together."\*

In 1537 the Irish Government insisted upon the necessity of keeping a supply of ready money in Dublin, for the purpose of

\* State Papers, *tem.* Henry VIII., Vol. II., p. 34.

bribing Irish chiefs to engage in hostilities with their neighbours ; “ finally, because the nature of Irishmen is such that for money one shall have the son to war against the father, and the father against the child, it shall be necessary for the king’s grace to have always treasure here, as a present remedy against sudden rebellion. His Highness may therefore be advised to give away clearly none of his lands, otherwise than some yearly rent may come into his coffers.” \*

This policy had not the merit or demerit of novelty, and has been invariably practised by every feeble government under similar circumstances ; but if it be an evidence of the powerlessness of those who practise it, its success is a proof also of the want of patriotism and the political immorality of those upon whom it is practised. Thus the Celtic portion of the Irish nation was split into many hostile fractions, under chiefs ruling by the sword, and unrestrained by any central authority. The national susceptibility and instability of the Celtic race were exaggerated. They quarrelled without reason, and warred and plundered without reluctance. “ They fight for their dinner, and many of them lose their heads before they be served with their supper.” †

It is but fair to judge the Celtic tribes by their own historians, not by the reports of English statesmen concerning them. The Annals of the Four Masters are thoroughly imbued with the Irish spirit of this period. Although detailed as to the annals of the Ulster and Connaught clans, they pass by without notice many of the transactions of Leinster and Munster, and the events they record do not comprise the entire history of the period ; yet the analysis of these annals, from 1500 to 1534, gives the following results :— Battles, plundering, &c., exclusive of those in which the English Government was engaged, 116 ; Irish gentlemen of family killed in battle, 102 ; murdered, 168—many of them with circumstances of great atrocity ; and during this period, on the other hand, there is no allusion to the enactment of any law, the judicial decision of any controversy, the founding of any town, monastery, or church ; and all this is recorded by the annalist without the

\* State Papers, Henry VIII., Vol. II., Pt. 3, p. 485.

† Sydney to the Privy Council, Car. MSS., Vol. II., p. 52.

slightest expression of regret or astonishment, and as if such were the ordinary course of life in a Christian nation.

This unceasing war to a great extent broke up the ancient tribe system—certainly deprived it of its redeeming characteristics. The personal retainers of the chiefs increased in proportion to the members of the tribe; the chiefs tended to become leaders of mercenary gallowglasses, and the leaders of gallowglasses tended to become chiefs. The Western Scotch, who about this period began to cross in large numbers into Ulster, hired themselves out as mercenaries, and sometimes plundered upon their own account. The exactions of the chiefs, coigne and livery, increased upon the tribesmen, and dependent tribes were more oppressed than formerly. Constant hostility rendered necessary an increased number of retainers; their maintenance wasted the substance of the tribe, which in its turn compelled the tribe to plunder the adjoining clans or the English Pale, and thus war begat war in endless succession; within the tribe itself every ambitious member of the tribal house sought the chieftainship, which tended to fall into the hands, not of the elected, but of the strongest and most unprincipled member of the house.

The condition of the native tribes would seem to us intolerable; to us it seems wonderful that a nation could continue to exist in such a condition; but it must be conceded that many circumstances combined to mitigate it. The glory of their chief and the victory of their tribe inspired the tribesmen with a spirit of intense but very narrow patriotism; the excitement of constant hostility, so hateful to the English, was not uncongenial to the excitable Celt; the actual loss of property to a pastoral nation was not such as would have been incurred by an agricultural people under similar circumstances; neither chiefs nor followers had any aspiration for or idea of a higher state of society; the chiefs, however violent and restless, were freely followed by voluntary and devoted vassals; the impositions of the chiefs upon the tribe were not considered illegal, and were restrained in some degree by traditional usage; amidst constant war and confusion, the Celtic tribe enjoyed and were proud of their ill-regulated and mischievous freedom; and it may be easily understood how, in the succeeding century, the Celtic population, plundered by foreign colonists, oppressed by an arbitrary govern-



ment, and bewildered by the subtilities of the English law, looked back upon this dismal period as the good old time which they fondly hoped might again return.

If the condition of the native tribes was evil, still worse was that of those who lived under the rule of Hibernicised Norman lords. These noblemen themselves, many of whom bore the title of lords of Parliament, had been gradually assimilated to Celtic chiefs. The lesser lords had lost all connexion with, and forgotten their allegiance to the English Crown; the greater occupied an ambiguous position; professing to be vassals of the English king, they retained their seats in the Irish Parliaments, but in their dominions, under the shelter of palatine privileges, often usurped, they governed after such fashion as they chose. The original English settlers had long since either fled back to England or sunk into the position of Celtic dependants; to supply their place, Celtic retainers or mercenaries had been permitted to re-occupy the land; and thus had grown up a bastard population, ignorant of the freedom of the Saxon tenant, but not completely organised upon the tribal system.

The devolution of these estates, especially those connected with parliamentary titles, followed the line of feudal heirship, although the absence or minority of an heir often forced this rule to be abandoned, as in the case of the family of Butler. The tenants and retainers were thus spared the constant dissensions caused by the claim of competitors to the Celtic chiefship; but the certainty of their succession may have enabled these lords to treat their subjects with the less consideration. The tenants were exposed to both feudal services and tribal impositions; and the latter, not restrained by any traditional usage, were enforced to the utmost limits of endurance. The Celtic Norman lords were guilty of all the violence exhibited by Scotch barons in the feeblest times of that monarchy, and exacted from their tenants services and duties as onerous as those of which the French noblesse have been accused. The unfortunate inhabitants of these districts enjoyed neither the freedom of English law, nor the practical independence of the Irish tribesman. The impositions under which the common people laboured may be understood by a summary of the inquisitions held

in 1537, under a Royal Commission to inquire into the state of Ireland.\*

The Commissioners, who were Antony St. Leger, George Poulet, T. Mayne, and Wm. Berners, despatched for the purpose of this inquiry, held inquests in the several towns and counties which they visited. There remain in the State Papers the presentments made by the juries for each of the counties except Tipperary, and for the towns of Kilkenny, Irishtown, Clonmel, Dungarvan, and Waterford. It was found that all the freeholders, lay and spiritual, charged their tenants with coyne and livery, with foy and pay, with summer oats, with codies and coshies, with black men, with black money, with the maintenance of mustrons and carriage services; nor was there any definite limit to the amount of the services, so that they were exacted at the mercy of each individual lord or his harbinger. Thus, though summer oats were said to be restricted to a bushel, or a bushel and a half, for each townland, it was found that they were demanded in far greater quantity; the number of attendants on each horse at coin† and livery was in like manner exceeded; and coshies, which were due four times a year, were more frequently demanded, and in some instances tailors were put to coin,‡ as well as masons and carpenters; and the mustrons were employed, not in building castles only, but halls, kitchens, barns, and stables. Beside these services, which were universal, there were others locally or partially exacted. In the county of Waterford there were customs called “srahe” and “bonneh,” in addition to, or as modifications of, coin§ and livery. In Tipperary, Lord Ossory is found to have exacted “boynes.” Lord Kildare and Lady Katherine Poer not only required coin|| and livery for their horses and boys, but also for all their guests, English and Irish, particularly when they kept Easter and Christmas. Lord Kildare also required it for the keeper of his stud, and when he had not his gallowglasses at home, he assessed his kerne and boys upon the country. He required from every townland, and from every three cottages, a workman for a week in the year to cast ditches and fastnesses on the border, and an axe-man for one or

\* State Papers, Henry VIII., Vol. II., Part 3, p. 510.

[† *Sic.*]

[‡ *Sic.*]

[§ *Sic.*]

[|| *Sic.*]

sometimes two days, to cut passages. When either he, or Poer, or Ossory, hunted, their dogs had to be supplied with bread and milk or butter. When the deputy or any greater man came to Lady Poer, she levied a subsidy, at her pleasure, for meat, drink, and candles, under the name of "mertyeght." When Ossory or Poer married his daughter, the former demanded a sheep from every flock, and the latter a sheep from every husbandman and a cow of every village. And when their sons were sent to England, a tribute was levied on every village and ploughland. Lady Poer took from every tenant, who had his horse or cattle stolen, five marks for his want of vigilance; she also took a fine for disobeying her sergeant, whether he were right or wrong, and a beef called "kyntroisk" for refusing coin and livery; and when she took a journey to Dublin, an assessment was made for the costs of her journey. In addition to these exactions, some lords took the tenants' produce at a price fixed by the lords themselves, and prevented them from selling without leave, or obliged them to sell to some one person. Others regrated provisions, and forestalled the market in wood, coals, and victuals. And when a great man was disposed to have a poor man's freehold, on the marches, who would not part with his property, the lord suffered the Irish borderers to destroy and rob him until he was driven to sell.

In the towns the king's laws were found to prevail; but out of them either the Brehon law or the statutes of Kilcash were exclusively obeyed, or the lord exercised an option to enforce one or other system, as he thought most beneficial to himself. By the Brehon law, offences were atoned for by fines, fixed by law with reference to the crime and the position of the parties, and a portion of the fine in each case was paid to the Brehon, an unpaid arbitrator, who had no other emoluments. In Waterford, Lady Catherine Poer took from both plaintiff and defendant, as her fee, 2s. in the pound. The fines for theft and murder were increased at pleasure, where the offender was a man of substance.

Many instances were presented of robberies, murders, burnings, and outrages, committed by individuals named, both lay and spiritual. It was also further complained that the lords erected weirs which impeded the navigation of the rivers; exacted rewards for fishing; allowed their ferrymen to tap casks; committed riots,



forcible entries, and false imprisonments; brought up their children badly; declared peace and war; made penal laws; extorted unreasonable customs; succoured thieves and robbers; used the Irish language and apparel; put out English and took in Irish tenants; disobeyed the deputies' summons to hostages, and coveted their own lucre rather than the common weal. In several places sessions were not held regularly, but only at the pleasure of the lord.

In this curious enumeration of the exactions of the Hibernicised Norman lords, there are mingled together the impositions of the Irish chiefs, the rents and services due to a feudal lord, the remuneration of the Irish judge, police taxes, and the profits of dishonest tradings—all unlimited, and enforced when and in such manner as suited the local chief; but, at the same time, the tenant enjoyed none of the advantages guaranteed to him by any of the systems thus blended together.

In Munster, the chief seat of this misrule, the effects were visible in the face of the country. In 1535, Stephen Ap Harry crossed that province from Dungarvan to Kilmallock, and thus describes its condition:—"All this journey from Dungarvan there is none alive that ever can remember that ever Englishman of war was ever in that part. Some days we rode sixteen miles of waste land, the which was Englishman's ground, yet saw never so goodly woods, so goodly meadows, so goodly pastures, and so goodly rivers, and so goodly ground to bear corn; and where the regges were that had borne corn, to my thinking there was no beast to eat it, not this twelve year; and that it was the moster part such waste all our journey."\* Not merely were the tenants oppressed, but the lesser lords were crushed by the Earl of Desmond. The head of the Southern Geraldines enjoyed a more undisputed power in Munster than the king's deputy within the narrow limits of the English Pale. In spite of his exactions, the Earl of Desmond himself lived in squalor and disorder. His chief residence was little better than a collection of dirty farmhouses. When he abandoned the castle hall of his Norman ancestors, he had lost their tastes and manners. When the earl was captured by sur-

\* Ap Harry to Cromwell, 6 Oct., 1536, Carew MSS., Vol. I., p. 78.

prise, in 1547, by Sir Edward Bellingham, and brought to Dublin, he is thus described by Hooker : \* “ This earl was very rude both in gesture and apparel, having, for want of nurture, as much good manners as his kerns and followers could teach him. The deputy, having him in Dublin, did so instruct, school, and inform him, that he made a new man of him, and reduced him to a conformity in manners, apparel, and behaviour appertaining to his estate and degree ; as also to a knowledge of his duty to his sovereign and prince, and made him to kneel upon his knees sometimes an hour together before he knew his duty.”

English writers, assuming that the Anglo-Irish lords of Munster had sunk to the level of Irish chiefs, cite the case of the Earl of Desmond as a description of the barbarous mode of life of the Celtic population, and most unfairly ; for, in fact, the Munster Geraldines had lost their English without acquiring Celtic civilisation. Mr. Brewer, in the Introduction to the second volume of the Carew MSS., citing as usual the case of the Earl of Desmond, says of the Celtic chiefs : “ Careless of art and literature, indifferent alike to the customs and luxuries of civilisation, the Neals, O'Moores, and O'Connors—*absit invidia verbo*—still lived in unglazed tents and savage plenty, exercising their martial spirit in plundering their neighbours' beeves ; whilst the squirearchy of England, not to mention its nobles, were gazing, in their Tudor halls and stately mansions, on the trophies of Crecy or of Agincourt, or learned the lessons of chivalry in the pages of Froissart or Sir John Malory.” † This is the natural conclusion of one who studies only English authorities, and having learnt from them the condition of the Anglo-Norman lords in Munster, and assuming that whatever was true of the degenerate Desmond was true *a fortiori* of a Celtic chief, concludes that the O'Neil or O'Donel must have been at least as uncivilised. As to O'Conor, he, in 1537, had just completed his new castle of Dengen, when it was destroyed by the lord deputy ; one of the most beautiful of Elizabethan houses is that built by the O'Donel in Donegal ; the O'Neil could take the field with a pomp and magnificence exceeding that of the English deputy.

\* Chron. of Ireland, p. 106.

† Carew MSS., Vol. II., p. xxxii.

The Butlers exhibited a marked exception to the general condition of the Irish-Norman lords. They threw themselves unreservedly into the policy of the English Government, civil or religious. They were to be counted upon by the Government in every emergency. Only upon one occasion of peculiar exasperation did they, during the Tudor period, engage themselves in any of the numerous risings; and yet, through all the wars of the reign of Elizabeth, although sharing in many bloody campaigns, they seem never to have quite forgotten that they were the fellow-countrymen of the insurgent Irish. In the eyes of their English colleagues, they often appeared slack in Her Majesty's cause, and of too great sympathy for the rebels. The character of the great Duke of Ormond is a fair specimen of his family.

In the Butler, the Munster Geraldine, and the O'Neil or O'Donel, are three distinct types of character. The thorough English and the pure Celt came out of the struggle with honour. The Butler, adhering to the successful side, passed uninjured through the troubles of Ireland, until the fortunes of the last Duke of Ormond were shipwrecked upon the rock of traditional loyalty. The O'Neil and O'Donel succumbed in an unequal struggle; but if they fell, they fell with honour, and left a name of which their country may still be proud; but the bastard race of the Munster Geraldine possessed all the faults and none of the virtues of either nation. They could neither obey nor command. They were bad subjects and worse rulers; they could neither remain at peace nor boldly wage war; they could neither accept Protestantism nor strike, when the time came, for the Church to which they adhered.

Without checking for one moment the power of the English Government, they plunged their devoted followers into utter ruin. Lawless in their origin, they were lawless in their lives, and they relied alone upon the sword, which in the crisis of their fate they hesitated to unsheath. But of all the inhabitants of Ireland, those under the immediate government of the English king were the most miserable. The actual condition of the Pale has not been described by any Irish historian. Those who write Irish history in an anti-English spirit concentrate their attention upon the sufferings of the Celtic tribes; for them alone they entertain an ostentatious sympathy. The poor "earth-workers" of the Pale were



descendants of the foreign invaders, who but four centuries before had disturbed the Celtic paradise. As descendants of the original ill-doers, and the agents and accomplices of the English Government, they seem to them undeserving of commiseration. English writers, on the other hand, expatiating on the confusion and misrule of the Celtic chiefs, are loth to admit that the subjects of the English Crown were less protected and more oppressed than the retainers of an O'Neil or O'Donel. By their silence, they would leave their readers to conclude that the English Pale, the scene of English rule and law, was a peaceful island amidst a sea of disorder. Mr. Froude, who would represent the struggle between the English king and the native Irish as portion of the everlasting strife of justice and iniquity, order and chaos, avoids describing the English Pale as contrasted with the other districts of the island; but there is no fact more clearly demonstrated, by the evidence of contemporary writers, by the official reports of the viceroys and members of the Irish Government, by the innumerable letters now published from the State Paper Office, than this—that of all the inhabitants of Ireland, the English of the Pale were the most exposed to hostile plunder, having the least means of resistance or retaliation, the most taxed, the most oppressed, the worst governed. They suffered all the evils and enjoyed none of the benefits of the feudal or tribal system, and were further bowed down beneath the burden of a government which did not protect them, nor permit them to protect themselves. They held their lands at rack-rents; they were, in addition, cessed by their immediate lords for their private benefit; they were cessed by the viceroy for his private benefit; they were cessed for the maintenance of soldiers who did not protect them; they were called out to the hostings; they paid black-mail to the adjoining Irish chiefs, and were plundered notwithstanding. At the same time, they were not permitted to fuse themselves into the neighbouring population, to become Irish, and thus to escape from misery by escaping from their government.

The English statesmen marvelled that the marches of the Pale should be ever receding—that its inhabitants adopted Irish dress and manners, and would have made themselves, from “liege subjects of their Lord the King,” mere Irish and savages. We should now wonder why the Pale continued to exist at all, and how the

English Government of that time were able to keep any footing in the island.

The extent to which the Pale, up to the very walls of Dublin, was plundered, and the suffering of the inhabitants, is shown by a letter of Mr. Deythyke from Dublin, dated the 3rd Sept., 1533:—  
“It may please your Mastership to be advertised of the news, that be in this country be these. No doubt here be very well-disposed people, and full of abstinaunce. Your Mastership knoweth their accustomed ceremony is to refrain flesh on the Wednesday, but also Sunday, Monday, Tuesday, and Thursday. This is a very sore abstinaunce. I trust to Jesu, ye shall hear that there shall be many saints among them. For they play the fox’s part, sy of hens, when he could not reach them. For I assure your Mastership, all the butchers of Dublin hath no so much beaf to sell as would make one mess of browes; so as they use white meat in Dublin, except it be in my Lord of Dublin’s house, or such as have of their own provision. And cause thereof is, they be nightly robbed. There hath been 5 or 6 preys taken out of St. Thomas, within this 10 days, so that one butcher for his part hath lost 220 kine. And another cause is the country is so quiet that they dare not ride out one mile out of the town, to buy any manner of victuals; and they make their complaint to the Deputy, and the wind hath blown him so in the eyes that he cannot hear them. But it is a common saying, ‘who is so deaf as he that list not to hear?’ So as the poor butchers be remediless, and have closed up their shops, and have taken to making of prekes, thinking there is a new Lent.”\*

In 1515, Patrick Finglas, Baron of the Irish Exchequer, thus describes the Pale:—

“In the four shires which obey the king’s laws, called Meath, Louth, Dublin, and Kildare, the aforesaid abominable order of coyne and livery was begun by Thomas, Earl of Desmond, son of James; he was then the king’s deputy; for which order and precedent he was put to execution. And then said order shortly began and was renewed within these thirty years; coyne, and livery, and carting, carriages, journies, and other impositions for hostings, and journies, and wilful war, began since that time. The deputies’

\* State Papers, Vol. II., Pt. 3, p. 181.

wives go to cuddies, and put coyne and livery in all places at their pleasure, and do stir up great war, that now, by the aforesaid extort means and precedents, all the king's subjects of the said four shires be near hand Irish, and wear their habits and use their tongue, so as they are clean gone and decayed; and there is not eight of the lords, knights, esquires, and gentlemen of the four shires but be in debt, and their land be made waste; and without brief remedy be had, they must sell their lands and go to some other land."\*

In 1533, the Council gave the Master of the Rolls certain instructions to be declared to the king for the weal and reformation of Ireland. The following is a summary of their statement of the condition of the Pale:—

"1. You shall instruct the king of the great decay of this land; that neither the English order, tongue, or habit has been used, nor the king's laws obeyed above 20 miles in compass. 2. This decay groweth by the immoderate taking of coyne and livery without order, after men's own sensual appetites; cuddies, gartie, taking of caanes for felonies, murders, and all other offences, alterages, biengis, saulties, and slaughtiaghes, and other like abusions and oppressions. 3. Also, by default of English inhabitants, which in times past were archers and had feats of war, and good servants in their houses for defence of the country in times of necessity; but now the inheritors of the land of the Englishry have admitted to be their tenants those of the Irishry, which can live hardily without bread or other good victuals; and some for lucre to have more rent, and some for other impositions than English husbands be able to give, together with oppression of coyne and livery, have expelled them; and so is all the country, in effect, made Irish. 4. By the relation of ancient men, all the English lords and gentlemen within the Pale heretofore kept retinues of English yeomen in their houses, after the English fashion, according to the extent of their lands; but now they keep horsemen and knaves, who live upon the king's subjects, and not in their houses; and they keep no hospitality, but live upon the poor people. 5. The liberties of the temporal lords of this land have been, and are, very prejudicial to the king and the weal of the land, for that by their abuse the king

\* Carew MSS., Vol. I., p. 7.



has lost the due obedience and strength of the inhabitants, and his regalities and revenues there. 6. The black rents and tributes which Irishmen, by violence, have obtained of the king's subjects, are a great mischief; and yet, when the deputies go upon the Irishmen by the aid of the king's subjects for redress of their nightly and daily robberies, they keep all they get to their own use, and restore nothing to the poor people. 7. Another hurt is the committing of the governance of the land to native lords, and the frequent change of deputies. 8. By the negligent keeping of the king's records, and by grants of clerk's offices of the four Courts to persons unlearned or not expert in the same, the king's Courts and revenues are greatly decayed and his records imbeciled, and inheritance and right thereby unknown. 9. The king has lost and given away his manners, customs, and other revenues, so as he hath not now whereof to maintain a deputy for the defence of his subjects."\*

This is one of the most abject confessions ever published by a government; it may be thus summarised:—The head of the government is chosen for party purposes, and exercises his power corruptly; the officials are corruptly appointed, and are wholly unfit to fulfil their duties; justice is not administered, order is not preserved, the king's revenues have been embezzled, and there is no means to maintain the semblance of an executive; under these circumstances, the people are plundered by and with the connivance of the viceroys; they are rackrented by their landlords, they are robbed by legalised banditti, they are harassed by the Irish enemy, and the English prefer "Irish barbarism" to the miserable condition to which the iniquity of their own government has reduced them. Yet this is not a political pamphlet, nor the statement of an opponent of the government; it is a solemn State Paper, signed by the two archbishops, the Bishop of Meath, the Grand Prior of Kilmainham, the Abbots of St. Thomas's, St. Mary's, and Lowth, the Lord Trimbleston, and three of the judges.

In the great ordinance for the government of Ireland, 1584, the condition of the tenants of the Pale may be gathered from the acts which it prohibits on the part of the landlords.

\* Carew MSS, Vol. I., p. 50; State Papers, Henry VIII., Vol. II., Pt. 3, p. 162.

“Item. Whereas dyvers lords and gentlemen within the four shires used to take night suppers, called cuddies, of their tenants, servants, and adherents, bringing with them as many as would go with them, without refusing any; whereby they did not only oppress them that gave such suppers, but also their neighbours, the king’s subjects, five or six miles about, with their horse and horse keepers, and also they took a peck of oats of every plough in the seed time, called the great horse or chief horse’s peck, &c.

“Item. Where some gentlemen use, whensoever the king’s deputy or any other lord or gentleman come to their house, to cess the substance of their charges and expenses that they be at by the receiving of any such, and on their poor tenants levy the same, as well as they do their rent, &c.

“Item. Whereas divers lords and gentlemen, their sons, servants, and adherents, take by compulsion of divers of the king’s subjects in the march, sums of money, kine, and horse, called bienges, for to have their favours menacing them that refuse to give such bienges to destroy them.

“Item. That no lord or captain compel any of the king’s subjects to send their carts and men, upon their own proper costs, to draw stuff to their buildings, or there to labour at their own charges, unless it be upon the marches for making fortresses and fortifications against the Irish for the defence of the country.”\*

The lord deputy’s (Lord L. Grey) book, in 1537, represents the tenants of the Pale and march as suffering almost the same oppressions as the jurors of Munster complained of in 1537. It commences thus:—

“Item. There is no march borderer, lord, knight, esquire, or gentleman, but hath more thieves belonging to him than true men; and the same doth rob and spoil the king’s subjects, and maintained by their masters, these knowing the same; and for every manner of offence done by their said servants to the king’s subjects, their masters will never do any punishment for the same.

“Item. For the most of the great men of the English, being borderers, maketh several peaces with the Irishmen that bordereth upon them, which causeth divers spoils and invasions to be made

\* State Papers, Henry VIII., Vol. II., Pt. 3, pp. 210-11.

on the borders, and the experience thereof is divers times seen; for whenever such spoil or robbery is made, it is upon a poor freeholder, or upon some poor gentleman's lands, and the great captain's lands shall go free without hurt.

“Item. The greatest captain of the English borders will not keep no horse or boy in his own house, for the most part; but all shall be at coin or livery upon the king's tenants all the year.

“Item. Every marcher is likewise; and in effect every English gentleman in Meath, Uryall (Louth), and the county of Kildare.

“Item. If any of the said march captains have any sons, they shall have such liberties, that whatsoever they do to any of the king's subjects, or whatsoever misdemeanour they be of, or whatsoever misdemeanour or wrong they commit, upon complaint made to their father there shall be no redress nor punishment by their fathers done therefor.

“Item. If any of these great captains be disposed to have any poor man's freehold that is on the march borders, if the freeholder will refuse to sell the said freehold to his lord, then the lord will suffer the Irish, not only to destroy the said freeholder and rob him, but also burn, destroy, and waste the said freehold; and then the poor freeholder must of fine [pure?] force be driven to sell the said freehold to the lord, or else to have no profit thereof.

“Item. The said lords and great men make penal laws upon hills, to poll [pile?] the poor people; and if any poor man offend that law, he shall pay the penalty without any forgiveness.

“Item. These great men do use such royal jurisdiction that if a tenant of theirs sell a cow or a hog to his neighbour, he shall pay a fine to the lord, because he had not the lord's license to sell the cow or hog.

“Item. These captains will have everything, as kine, swine, hens, chicken, capons, or any other thing that the poor people hath, that is under them, at their own price; and if the poor man make any refusal, their pledges shall be taken forthwith.

“Item. The said lords, marchers, and gentlemen, if they have any land in the English Pale nigh Dublin, when they come thither for any cause, they set their horses to coin and livery upon their tenants.



“Item. Every man of lands, for the most part, if an Irish tenant will give him more money for a farm than an Englishman payeth, he will put out the Englishman and put in the other, and thus many English farmers be put from their farms.

“Item, that such lords and gentlemen, which have servants that doth daily rob and spoil the king’s subjects, their lords and masters know their robbing and spoiling; and when they be complained on to their lords and masters and so taken, then they keep them for a time, and after for five marks, or such fine as the master and the thief can agree, the thief shall go at large again, and the poor man shall have no remedy of such things as was taken from him.

“Item, all such men as have lands lying upon the border, doth commonly lye within the English Pale in safety themselves, and see nothing to the keeping of their lands nor of their country, which is great hurt for the defence thereof.

“Item, most commonly, when the deputy goeth forth on hosting, sending his letters to the lords and gentlemen to wait upon him to serve the king, they do fain excuses, one or other; that in case they do not go upon one that is their mortal enemy, or else the journey to be to their fantasy, they tary at home, by reason whereof they put the deputy and his company to great danger.” \*

The exactions levied upon the English tenants were rapidly increasing in the early part of the sixteenth century. The lord deputies, commencing with the Gerald, Earl of Kildare, increased successively the amount which they levied; and it was assessed, not upon the amount in any year which the land produced, but upon the tenant’s holding, whether in tillage or fallow. This practice is very clearly stated by Mr. Justice Luttrell, in 1537.

“Item, the Welshmen, marchers of the county of Dublin, the Geraldines, the Baron of Delvin, and all other marchers borderers of the said four shires of Dublin, Meath, Kildare, and Louth, until now of late, used as yet, under the jurisdiction of the said Baron, and in the county of Kildare, it is used, to coss the wastes with coin, as well as that as manured; and whatsoever thing may be found on the said wastes, whether it be men passing through or

\* Lord Deputy’s Book, State Papers, Henry VIII., Vol. II., Part 3, p. 476.

cattle, they do take them for the coin, or else they account the sum the wastes should come to ; and when it is set, they levy thereof the whole ; and as it is said the said baron's kerne taketh for the same wastes of other lands and villages manured, of the owners of the same wastes, which causeth much waste to continue, more than would do. Item, the first coin of gallowglasses, called coin bon, that was cessed in these quarters within this fifty years, that Gerald, the father to Gerald, late Earl of Kildare, cessed in the county of Kildare, was one Barret, having but twenty-four spears, who came to him, being exiled out of Connaught. Item, the said gallowglasses so increased, in the time of Gerald the father, that in his time they came to 120 spears ; most part to the charge of the said county, which his son Gerald cessed on Irish oftentimes, and discharged much the said county of them and their charge. Item, the first two earls, being deputies, took no coin in the heart of the English Pale of the county of Dublin, Meath, or Louth, but coming through, for one night and one day, to be in one place. Item, the Baron of Delvin, being substitute deputy under the said earl, then being in England, was the first that, going through that said part, took coin for two nights and two days, which was never before seen. Item, the Earl of Ossory, after being deputy, in the first rebellion of the traitor O'Connor, and the Geraldines, after took coin within the said quarter for four nights and days in one place, which was never seen before there. Item, after the said Earl of Kildare, upon the said precedent, took there coin and livery, as is aforesaid, following the precedent of the said baron, for two days and nights. Item, the said county of Kildare and elsewhere in marches, where the said continual coin is taken, was extended to bear the same in no indifferent sort ; for some twenty acres, many places are charged as much as 100 acres in many other places ; so that their lands [who are] in favour or had will under the Earls of Kildare, and other march captains, have that freedom, and others not—also the captain of the marches of Dublin and his kinsmen, called the Welshmen, and the Baron of Slane and his kinsmen, over and besides their coin and foys, which is to take horse meat and man's meat, claiming it for no due, taketh in every village under their jurisdiction, quarterly certain money for their expenses, called Byerahe, some of them 13s. 4d., some 6s., some

4s., and others 2s. Item, all lords, and gentlemen, and farmers, if they be horsemen of the said four shires, very few excepted, taketh horse meat and man's meat for their horsekeepers, and for all other horses and their keepers that resorteth to their houses, upon the poor farmers continually, which little precinct [*i.e.*, the English Pale as it then existed] is not much more than twenty miles in length, ne in bredth, and yet within the same precinct many times both some lords and gentlemen setteth the charge of their horses and their keepers over their farmers."\*

It may be asked, were not the king's courts then sitting in Dublin, and could not the tenant appeal to the common law of England against these injustices? The tenants could not generally do so; nor had they done, were they likely to obtain redress. It was the interest of the lords to keep the peasantry perfectly subservient to themselves, and they forbade actions to be brought in the king's courts. "I have been informed," writes Allen, "that divers march lords and captains hath made laws among themselves, that whosoever under any their rules pursue any action at the king's law shall forfeit five marks."† Had they dared to transgress such a prohibition, they had not much profited themselves; they would have probably found that the men of the gown were capable of as great extortion as the men of the sword. Contemporary authority describes the courts as insufficient and corrupt:—"There be as many Judges of the King's Bench and of the Common Pleas, and as many Barons of the Exchequer, and as many officers, ministers, and clerks, in every of the said county, as ever there was, when all the land for the more part were subject to the law; wherefore the said subjects be so grievously vexed daily with the said courts, that they be glad to sell their freeholds for ever, rather than to suffer alway the exactions of the said courts, like as the freeholders of the marches, where the king's laws be not obeyed, be so vexed by extortion, that they be glad in likewise to sell their lands and freeholds to such persons, that compelleth them, by means of extortion, to make alienation thereof, rather than always to bear and be under the said extortion."‡

\* Justice Luttrell's Book, State Papers, Henry VIII., Vol. II., Pt. 3, pp. 502-5.

† Allen to Cromwell, *idem*, p. 496.

‡ State Papers, Henry VIII., Vol. II., Pt. 3, p. 9.



If even the courts were disposed to award justice, they very seldom sat; and when they sat, challenges for consanguinity and want of freehold rendered trials abortive, and wore out the jurors. In addition to their other suffering, the inhabitants of the Pale were called out to attend constant hostings, which were fruitless of any result, cessed for the support of soldiers who did not protect them, and cessed for the payment of black rent to Irish chieftains, who nevertheless plundered them. It is not wonderful that they are described as unable to yield any revenue to the English Government. "The inhabitants of the four shires have been so spoiled, oppressed, and robbed, that they be not of ability to give your Highness any notable thing otherwise than they be charged already."\* If the native Irish had cause to complain of the English Government, the English natives of the Pale had tenfold reasons for disloyalty.

The seaboard English towns were an exception to the general condition of the English settlers. They were wholly neglected, and thus enjoyed complete municipal independence; protected by their walls, they were secure from the incursions of the adjoining tribes, with whom they formed peaceful and commercial relations; and, above all, they were practically free from the interference of the English executive. At this date they enjoyed considerable prosperity; of which the case of Galway is an example. In the mayoralty of Fitzstephen, 1498, the important communication from Lough-a-thalia to Pontavourline, which would have opened an easy passage between Lough Corrib and the sea, was commenced, but never completed; † in 1500 they repaired their city after a destructive fire; in 1505 they paved their streets, erected an hospital, and isolated their city by a broad fosse; in 1519 they extended their city wall, and erected quays.‡

Limerick is thus described in 1536 by Mr. William Body, an agent or spy of Cromwell's:—"The city of Limerick is a wondrous proper city, and a strong, and standeth environed with the river of Shenon; and it may be called Little London, for the situation and

\* The lord deputy and council to the king, State Papers, Henry VIII., Vol. II., Pt. 3, p. 380.

† Hardiman's "History of Galway," p. 76.

‡ Id., p. 77.

the plenty, but the castle hath need of reparation."\* So entirely were these towns withdrawn from the control of the central Government, that in 1524 the cities of Cork and Limerick, like independent imperial cities of the continent, carried on a war against each other by sea and land, sent ambassadors, and concluded a treaty of peace.†

It may be anticipated that the royal revenues from Ireland were inconsiderable. In 1537 the Council reported the revenue to be 7000 marks a year (£4666), although the treasurer thought it should reach £5000 per annum.‡ In 1542 the revenue was estimated as follows :—

From the king's lands, . . . . .	£6069	2	7
Customs, . . . . .	319	13	4
Fee-farms of Dublin and Drogheda, . . . . .	200	0	0
Petty farms, homages, &c., . . . . .	11	5	8
The twentieth part of the spirituality, . . . . .	287	2	1½
The king's subsidy, temporal and spiritual, 569	8	3	

£7450 11 11½ Irish.

Annual permanent Deductions :

Annuities and proxies,

perpetual, . . . . . £ 182 13 9½

Salaries, . . . . . 1131 12 6

1314 6 3½

£6136 5 8 Irish.

Further temporary Deductions :

Pension to the Grand

Prior of Jerusalem, . £ 500 0 0

Compensation to the  
members of suppressed

religious houses, . 759 3 4

1259 3 4

Net certain Revenue, . . . . . £4877 2 4 Irish.§

\* Carew MSS., Vol. I., p. 105.

† Hardiman's "History of Galway," pp. 77, 78.

‡ Carew MSS., Vol. I., p. 118.

§ Id., Vol. I., p. 200.

The expenditure to be met for the maintenance of the deputy, military purposes, and the wages of the army, amounted, at this date—a period of profound peace—to £7982 6s. 8d. The military force then maintained in Ireland was as follows:—The lord deputy's retinue, two officers and one hundred horsemen, at the yearly cost of £1360 16s.; Mr. R. St. Leger's retinue, two officers and one hundred horsemen, at the yearly cost of £1360 16s.; the Master of the Ordnance, two officers and one hundred hackbutteers; Mr. Brereton's retinue, three officers and one hundred and fifty archers; the Knight Marshal's retinue, one officer and thirty-two horsemen; the Clerk of the Check's retinue, ten horsemen; the Treasurer's retinue, forty horsemen. The entire force consisted of nine officers and five hundred and thirty-two soldiers, costing yearly, exclusive of Ordnance stores, £7175 13s. 4d.; or the then enormous sum of £13 2s. 8d. each.\* The regular force at the command of the deputy was, in number, about equal to half of the Dublin Metropolitan Police; but it was generally reinforced by the levy of the Pale, and the following of the Earl of Ossory; the former, however, could not be kept on foot above a fortnight at the time, and the latter were only active when employed against the personal enemies of their house. The paucity of the standing force at the command of the deputy must never be overlooked, if we would desire to estimate his great power for mischief, and feebleness for good.

In the foregoing statement of the condition of this island no reference is made to "national" writers; with few exceptions, the authorities cited are the statements of the professional agents of the English Government. The conclusion is the more irresistible and disheartening. After the lapse of three centuries we hear the complaints of a plundered and misgoverned people, handed over to utter anarchy, and delivered into the hands of the powerful, tyrannous, and ungodly. What was the cause of this most miserable condition? English writers would only assert that it arose from the uncivilised and untamable Celtic nature. But were the Celts a nation hating all rule and order, and by destiny given over to chaos and degradation? Such at least was not the opinion of the

\* Carew MSS., Vol. I. p. 200.



Irish Council, who write in 1533 :—"As to the surmise of the bruteness of the people, and the incivility of them, no doubt, if there were justice used among them, they would be found as civil, wise, and polite, and as active as any other nation."\* Had this supposed infection of the Celtic blood corrupted all colonists, Saxon and Norman? were all the dwellers in Ireland, of whatsoever nation, lovers of disorder, contemnners of justice, disorderly, violent, blood-thirsty—in a word, were all our ancestors madmen?

This ill accords with the fact that the portions of the island most disordered and oppressed, whose peasantry were most pillaged and degraded, were precisely those under the immediate control of the Government. As in all similar cases, the root of the evil was the executive itself. But the true accusation against the English Government is the direct contrary of that usually urged. They exercised no constant tyranny; they hatched no perpetual conspiracies against the native Celts; they were too feeble and imbecile to essay such projects; they neither did, nor could, nor attempted to do anything; their crime was not the commission of violence, but the total neglect of duty. A phantom Government, posted at Dublin, fulfilled none of the duties of a ruler, but by its presence prevented the formation of any other authority or form of rule. Weak as was the executive, behind it, beyond the Channel, was the might of England, ever ready to strike down any person or party who might attempt to govern. Cowed and disheartened, Celt and Norman alike subsided into ruin. What had been the policy of the English Lord of Ireland from the date of the viceroyalty of the Duke of York (1452 A.D.) to 1535 A.D.? Sometimes English deputies were sent over, devoid of actual power to wield the semblance of authority. Bitter was the experience of every English nobleman upon whom such a duty was imposed. "No Englishman ever tasted the bitter sweet of Irish deputyship, but sighed and prayed to leave it. No Englishman who had left it, but forgot in England the bitter, and remembering only the sweet, sighed and consented to return to it, though with the fullest conviction that he should run the same gauntlet as before—be vilified by enemies in his absence, thwarted by his Council in his presence,

\* State Papers, Henry VIII., Vol. II., Part 2, p. 173.

ill-supported by his Sovereign, ruined in fortune, probably in reputation.”\* Then, again, the deputyship was offered to the most dangerous rebel—held forth as a reward to the bitterest enemies of England, until men learnt that the surest path to promotion was open hostility to the Crown. “When the Earl of Kildare’s brethren, O’Neill, O’Connor, with their friends, appointed to invade the king’s dominions, could not persuade Sir Thomas Fitzgerald to condescend to their purpose for a great season, Sir Gerard Shaneson heard him much stick at the king. ‘What, thou fool!’ said he, ‘thou shalt be the more esteemed in Ireland to take part against the king; for what hadst thou been if thy father had not done so? What was he set by until he crowned a king (Lambert Simnel) here; took Garthe, the king’s captain, prisoner; hanged his son; resisted Poyning and all deputies; killed them of Dublin, upon Oxmanstown Green; would suffer no man to rule here for the king but himself? Then the king regarded him, made him deputy, and married thy mother to him; or else thou never should have had a foot of land, where now thou mayest despend 400 marks by the year.’”†

Criticism is wasted upon a Government sunk in popular estimation to a condition so abject. Such were the facts of no-government.

In 1535 England adopted a different policy, and was henceforth as active as she had previously been supine.

We shall have to consider, during the Tudor period, which was the worse—the total disregard of duty on the part of the Government, or a policy, honest in intention, noble in its aspirations and persistently pursued, but founded upon principles radically erroneous.

\* Carew MSS., Vol. II., p. xxviii.

† State Papers, Henry VIII., Vol. II., Part 3, p. 174.

## CHAPTER XII.

---

### THE CHURCH OF IRELAND BEFORE THE REFORMATION.

THE introduction of the Reformation into Ireland, and its consequences, have been discussed by many authors, both favourable and hostile to the Church subsequently established. The ecclesiastical policy of the Tudor princes remains of record in the Statute Book, and the documents of the State Paper Office. What they desired to accomplish, and the means which they adopted to effect their ends, are matters upon which there is no room for speculation. The controversy has been, consequently, restricted to the following issues:—how far were the laws respecting religion practically carried into effect; what were the moral and political consequences of this legislation; and how far is the miserable condition of the country in the sixteenth and seventeenth centuries attributable to the religious innovations of Henry VIII. ? But, before entering upon these questions, it is of paramount importance to understand what was the Church—what was the religious organisation existing in Ireland prior to the year 1535. To estimate the merits or the demerits, the good or evil results of any revolution, it is not sufficient to commence with the revolution itself, and to consider the subsequent condition of the people as a consequence of the revolution alone. The result of a political or moral revolution depends not merely upon the nature of the political changes themselves, but also upon the nature of the society to which they are applied. The State, as it exists after a revolution, is not a new creation, but it is the old society modified, and perhaps in outward semblance transformed, but as a rule much less changed than is popularly supposed. Popular history, however, deals chiefly



with those obvious and public actions which are capable of being woven into a continuous and interesting narrative, and attributes to them, exclusively, the consequences which follow. Thus, the history of the French Revolution has been written as if the modern French Government and society were the result of the riots in Paris and the execution of a small number of aristocrats; it is only lately that it is understood that a detailed study of French society prior to the Revolution is absolutely necessary for the comprehension, not merely of the consequences, but also of the course of the Revolution itself. The mode in which the period of Irish history, which we are about to consider, has been treated is a remarkable example of the popular and misleading fashion of writing history. There is no writer upon this subject who has seen the importance of forming a clear and definite opinion as to the state of the Church in Ireland before the Reformation, or who appears to have understood, that until he had done so, he could not ascertain how far the condition of Ireland after that event was altered by the establishment of the Protestant Church, whether for good or evil; nor what changes had been wrought, nor indeed whether any great changes had been effected. Every writer starts with the assumption of a certain state of things as existing in Ireland; but the state of things, which he assumes to have existed, depends altogether upon his opinion as to the propriety or impropriety, justice or injustice, of the policy pursued by the Tudor princes.

Protestants assume that, prior to the arrival of Archbishop Browne, the whole nation was neglected by the clergy, and given over to superstition; the clergy were ignorant, immoral, and disordered; the monasteries were haunts of idleness and vice: and that the introduction of the Reformed doctrine was a second evangelisation of the island and the refounding of the Christian Church. This is naturally the assumption of those who approve of the introduction of the Protestant Church, and believe that the subsequent disorders were the struggles of superstition and priestcraft against the pure Gospel. Catholic writers, on the other hand, assume that, prior to 1535, there existed in Ireland a national Catholic Church, supported by the devotion of the entire nation—governed and organised as the Churches of France or England; that throughout the land the doctrines of the Church were peacefully preached, and

its rites everywhere performed; that the monasteries were the abodes of peaceful and learned ascetics; that the nation was then and ever had been remarkable for the purity of its doctrine, its obedience to clerical authority, and constant fidelity to the Holy See. This is, naturally, the opinion of those who altogether disapprove of the policy of the Tudors, and attribute the subsequent disorders to the often-repeated efforts of a tyrannical government to force upon an orthodox and patriotic nation a foreign heresy. A third view has lately been current, chiefly among the defenders of the late Established Church, which has been stamped with the authority of the late Dr. Todd. According to this theory, there were all through, from A.D. 1171 to 1535, two Churches subsisting in Ireland—one the original national Church of the island, to which the Celtic population still adhered, the other the Roman Catholic Church, introduced by the English invaders—the latter ever persecuting the former, and driving back its ministers into the remoter parts of the island, until Henry VIII., by his repudiation of the papal supremacy, suddenly reinstated the ancient and national, and expelled the intrusive and foreign Church. A perusal of the passages in the Life of St. Patrick, in which this view is put forward, easily discloses how it is devoid of evidence, and how the existence of two Churches in Ireland, differing in doctrine, before the date of the Reformation, is merely an ingenious theory of a learned divine, who would protect his Church from the imputation of being intrusive and schismatic. Mr. Froude, in the portion of his work which deals with the state of Ireland, has also dispensed with the necessity of inquiry into the ecclesiastical condition of the country. He comes forward as the apologist, or rather the panegyrist, of Tudor policy. He assumes that the condition of the island, political, social, and religious, was a mere chaos; and that the English king, representing *power*, and therefore justice, was justified in establishing "*order*," and in doing everything and anything necessary for such an object. It is, however, not so difficult as it might be supposed to form some idea of the ecclesiastical state of the country. The credit of having first seen the necessity of so doing, and having at least attempted to do so, is due to Mr. Brewer, who, in his Introductions to the second and third volumes of the Carew MSS., has there collected various facts rela-

tive to the state of the Irish Church, and the appointment of the Irish bishops under the Tudor princes. His statements, derived from English sources exclusively, and exhibiting the strongest prejudices against the Celtic population, are nevertheless valuable, as the first contribution to an inquiry which is absolutely necessary for a comprehension of the history of the Reformed Church in Ireland.

A national Church requires the existence of a nation ; but in the sixteenth century no Irish nation existed. The inhabitants of the island were divided between two distinct nations, differing in allegiance, language, laws, social ideas, and attire. Their habits, customs, and opinions were so contradictory, that, as the event proved, an Irish kingdom could be established only by the conquest or annihilation of one or other party. To imagine that two nations so utterly opposed to each other could be members of one national Church, would demand an exercise of faith such as should be required for the belief in a protracted miracle. But so far from any such fact being proved by authentic records, there is abundant evidence that the Church in Ireland was split into two portions, or rather Churches, corresponding to the political division of the population. It is here necessary to explain what is meant by the phrase "two Churches." There are no grounds for supposing that throughout the island there was any dispute or difference as to doctrine, or that in the fifteenth or sixteenth century there was any variance even as to questions of discipline. There was an English population in allegiance to the English Crown, which had an English clergy. There was also a population styled by the English "the Irish Enemy," which had an Irish clergy. Their respective clergies preached and prayed with their respective flocks ; and also, as might reasonably be expected, frequently fought side by side with them. If there had been any difference in doctrine or practice, it could not have failed to have been alluded to in the Acts of Parliament ; but, although numerous statutes were levelled against Irish priests, they are never reproached as being heretics, or even schismatics. The distinction between the two bodies of Irish and English clerics is frequently alluded to in the Acts of the Irish Parliament. The 13th section of the Statute of Kilkenny had enacted that no Irishman of the nation of the Irish should be



admitted into any cathedral or collegiate church, by *provision*, collation, or presentation of any person, nor to any benefice of Holy Church, amongst the English of the land; and that if any such should be admitted, instituted, or inducted into such benefice, it should be held void, and that the king should have the presentation of the benefice upon such avoidance.\*

This enactment, although most difficult to enforce, and contrary to the religious feelings of the age, was constantly acted upon by the English Government, and maintained as a cardinal principle of their policy. By the statute of the 4th Henry V., ch. 8 (English), A.D. 1416, reciting, "Whereas it was ordained in the time of the king's noble progenitors, by a statute made of [in ?] the land of Ireland, that none of the Irish nation should be chosen to be an archbishop, bishop, abbot, or prior, or in none other manner received or accepted to any dignity or benefice within the said land; and now of late so it is that many such Irish people, by force of certain letters of licence to them made by the king's lieutenant, there to accept and receive such dignities and benefices, be promoted and advanced to be [archbishops and bishops] within the said land, and also make their collations to Irish clerks of the dignities and benefices there, against the form and effect of the said statute," it was enacted "that the said statute should stand in full force, and should be well and duly maintained, and fully executed."†

The stringent execution of this statute is proved by the special licences granted to individuals, enabling them to grant or accept benefices notwithstanding its provisions. By an Irish Act of the second year of Richard III., A.D. 1485, reciting, "As divers benefices of the diocese of Dublin are situated among the Irish enemy, of which the advowsons belong to the Archbishop of Dublin, in right of his see; and as no Englishman can inhabit said benefices, and divers English clerks who are enabled to have cure of souls are inexpert in the Irish language; and such of them who are expert disdain to inhabit among the Irish people, and others dare not inhabit among them, by which means divine service is diminished,

\* The Statute of Kilkenny, p. 47, in "Tracts relating to Ireland," Vol. II. (Archæological Society).

† Id., p. 46.

and cure of souls neglected:" it was enacted "that Walter Fitzsymond, Archbishop of Dublin, for two years do collate Irish clerks to the said benefices, without any impeachment from the king, his heirs or ministers, provided that such beneficers be sworn to allegiance."\* In 1493, 8th Henry VII., another Act was passed to enable the Archbishop Fitzsymond to present Irishmen to benefices among "the Irish."† Licences, by Act of Parliament, or letters patent, were also sometimes granted to individuals to dispense with the enactment of the Statute of Kilkenny. In the 7th Henry V., licence was granted by letters patent to Thomas Morowe, chaplain, otherwise called Mac Raghtyr, an Irishman, that he should be of free state and condition, and might enjoy the English laws, and acquire and possess lands as fully as any Englishman could do (except, &c.), and that he might be promoted to any ecclesiastical benefice.‡ In the Irish Parliament of 1465, 5th Edward IV., the following Act was passed to meet a similar case: "Whereas it is found by inquisition, that Leo Howth, clerk, presented John of Kevernok, clerk, an *Irishman*, and of the Irish nation—that is to say, Shan O'Kery, an Irish enemy of the king, to Michael, Archbishop of Dublin, to the vicarage of Lusk, contrary to the form of statute; the which John contained in this Act is the same Kevernok in said inquisition. Whereas the said John and his ancestors, from the conquest of Ireland, have been Englishmen born and of English nation—that is to say, Kevernok; whereupon, the premises considered, and also how the said John Kevernok is a special orator of our sovereign; and also how he is a universal preacher of the words of God in these parts of Ireland; it is enacted that the said inquisition be deemed and declared void, and of no force in law, and every other inquisition against the said John, to make him Irish, or of the Irish nation; and that the said John, by authority of the same, be declared English born, and of English nation, and that he may hold and enjoy the said benefice."§ A similar enactment as to the reception of members by religious houses is contained in the 14th section of the Statute of Kilkenny, viz.—"Also it is ordained and established that no religious house, which is situate among the

\* The Statute of Kilkenny, *ut supra*, p. 47.

† *Id.*, p. 48.

‡ *Id.*, p. 46.

§ *Id.*, p. 47.

English, shall henceforth receive any Irishmen to their profession, but may receive Englishmen, whether they be born in England or Ireland; and that any that shall act otherwise shall be attainted, their temporalities seized into the hands of our Lord the King, so to remain at his pleasure, and that no prelate shall receive any neoyff [serf?] to any orders without the assent and testimony of his Lord, given to him under his seal.”\* Special licences were given to individuals, *non obstante* this section, in the same manner as in the cases previously mentioned: thus, in 1385 a licence was granted to the Abbot of Knock, near Lowth, who it would appear was an Irishman, “that he should be of English state and condition, and free from all Irish servitude, and enjoy the English laws and liberties; *with a pardon for acquiring the said Abbey without Licence.*”† As the Irish clerk was excluded from benefices within the English Pale, it may be assumed that the English clerk was equally excluded from benefices among the Irish enemy.‡ As might be expected, the instances upon record of such exclusion are few and incidental; for the English clerks would, as a rule, “*disdain to inhabit among the Irish people*;” and if they were refused admission to, or expelled from, any such benefice, there was no record preserved of the transaction.

This divided condition of the Church in Ireland accounts for the anomaly, otherwise so difficult to explain, that from the reign of John to the period of the Reformation there is no record of any action of the Church of Ireland as a national Church. The archbishops, bishops, or abbots, in the allegiance of the English king, might meet in parliament or convocation in Dublin; but they as little represented a national Church as the nobility of the Pale did the aristocracy of the country. There were no truly national councils, convocations, or canons. Each section of the Church clave to their own political party, and hated each other as cordially and with as good reason as the lay members of their flocks.

The clergy in Ireland, as elsewhere, were divided into the seculars and regulars: it is advantageous to consider the condition of these several classes separately.

\* Statute of Kilkenny, *ut supra*, p. 49.

† Id., p. 49.

‡ See the Life of Nicholas, Bishop of Down, in Ware, Vol. I., p. 198.



It is impossible to state how and by whom a considerable proportion of the Irish bishops was appointed. A large number, notwithstanding various statutes, were nominations by the pope to be bishops of the See by proviso; of sixty-eight bishops who occupied various sees from A.D. 1500 to 1535, thirty-eight appear in Ware as having been so appointed; many of the bishops were appointed by the Crown or by the pope upon the Crown's nomination. The amount of patronage thus exercised by the Crown did not depend merely upon the extent of the English districts, and the energy of the governor for the time being; for the king appears in many instances to nominate or recommend bishops for sees in which his writ did not run and his authority was disowned. Upon such occasions the papal court recognised the English king as the legitimate ruler of the entire island, and the new bishop would attempt to hold his See rather as a nominee of the pope than of the king. In the remoter parts of the island, removed from English influence, and practically beyond the civilised world, no ecclesiastic could have maintained his position against the will of the local Celtic chief. How bishops were appointed, or maintained themselves in such districts, there is no means of information. It is difficult to understand the position of William O'Ferrall, Bishop of Ardagh from 1486 to 1506, who was at once bishop and chief of his clan;\* or that of Thomas Brady, Bishop of Kilmore from 1489 to 1511, who had a contest with one Cormac, who claimed the See, under what title it does not appear; but at the synod of Drogheda (1496) two bishops of Kilmore attended, and they appeared in acts of the synod as "Thomas and Cormac by divine grace the *bishops* of Kilmore."† Dermod, Bishop of Kilmore, in 1511 fled from his diocese, on account of wars and disorder, and became Vicar of Swords.‡ Even during the reign of the Tudor princes a bishop appointed by either pope or king might find himself excluded from his See. In 1565 the papal nominee to the See of Armagh was unable to establish himself in his diocese, in consequence of O'Neill desiring the office for one of his family;§ in 1567 M'Caughwell, the Crown's nominee to the See of Down, was kept out of his

\* Ware, Vol. I., p. 255.

† Id., p. 229.

‡ Id., p. 229.

§ Hamilton, Cal., pp. 1-253. [See Note I., at end of chapter.]

diocese by Shane O'Neill's brother; the pope, however, refused to appoint the latter, and appointed Meyler Magrath, who subsequently submitted to the English Government, and was confirmed in his office.\* The English ecclesiastics appointed by the Crown or Papal See to bishoprics in Ireland, were then, as subsequently, political appointments, and constituted part of the English garrison; they filled official positions; they sat at the council board; they furnished men and arms to the English deputy; they not unfrequently commanded them in the field; and, if it were necessary, they were ever willing and anxious "*to minister and exercise all kind of ecclesiastical censures against the wild Irish.*" The Archbishop of Dublin may be considered to have been the model English ecclesiastic. Few dioceses enjoyed an abler series of archbishops; but they were employed rather in the civil government and the wars with the natives than in exclusively spiritual concerns. Walter Fitzsymond, Doctor of Laws, was archbishop from A.D. 1484 to 1511. He was unfortunate at the commencement of his episcopacy in being engaged in the adventure of Lambert Simnel, but was among others pardoned in 1488. In 1492 he was made deputy to the Duke of Bedford in lieu of the Earl of Kildare, and the appointment was ratified by the king; in 1493 he held a parliament in Dublin; in the same year he went to England, to lay before the king a statement of the condition of the country; in 1492 he, together with the sheriff of the county of Dublin, the Bishop of Kildare, and the sheriff of that county, the Bishop of Meath, and the sheriff of that county, the Archbishop of Armagh, and the sheriff of Uriel, were appointed for the purpose of causing a ditch to be made around the Pale, "with power to call upon the inhabitants of the four shires to make ditches in the *Fassagh* lands or wastes outside the marches."† On this occasion the bishops appear to have acted as county officials. In 1496 he became Chancellor; in 1508 deputy to the Earl of Kildare. Dr. William Rokeby, an Englishman, succeeded in 1511; he had been appointed Chancellor in 1498; Bishop of Meath, and Privy Councillor, in 1507. In 1520 he was despatched by the lord deputy and

\* Hamilton, Cal., p. 341. [See Note II., at end of chapter.]

† Tracts relating to Ireland, Archæological Society, Vol. II., Statutes of Kilkenny, p. 4.

Council to Waterford, "for the pacifying of such discords, debates, and variances, as existed between the Earl of Desmond, and Sir Piers Butler." What his real instructions were may be gathered from the king's letter of the month of July, 1520, relative to this translation:—"Now, at the beginning, politic practices may do more good than exploit of war; till such time as the strength of the Irish enemy shall be enfeebled and diminished, as well by getting their captains from them, as by putting division among them, so that they join not together."\* Hugh Inge, also an Englishman, succeeded in 1521; in 1527 he was appointed Chancellor, which office he held up to the date of his death; "he put the kingdom in as good a condition as the untowardness of the wild Irish would suffer him." John Alen, also an Englishman, succeeded in 1528; he was immediately after his appointment nominated Chancellor; in 1531 he wrote to Cromwell—"I must instantly require to move my Sovereign Lord the King's good grace to give me a prebend of £100 per annum, in commendam, to maintain the state that his Highness has called me unto (being Primate of his Church in Ireland, and Chancellor of the same), without my merits, and by obedience, against my will truly. . . . And here with us I cannot have the forty marks fees of the Chancellorship, now two years and a half past, nor yet such money as I laid out upon the king's letters, as well for ships and mariners' wages, as for reparations done on the king's chancery, also his castle. Sir, afore God, I desire none translation, nor any manner of benefice or cure, or yet of dignity, but only (if it might please his king's highness to have some compassion upon me) a prebend which would cause no murmur of absenty from thence, whereby I might keep a dozen yeomen archers in wages and livery, when I lie in the marches upon the Church lands, to keep me in the king's service, from his Irish enemies and English rebels."† In 1533 his name appears among the signatures to an elaborate statement of the condition of the country. In 1534 it was ordained in the articles for the government of Ireland, probably in consequence of the statement sent over from Ireland in the preceding year, "that the lands of the spirituality and benefices

\* State Papers, Vol. I., Pt. 3, p. 34.

† State Papers, Vol. II., Pt. 3, p. 159.



to all common charges of the country shall contribute, as the lands of the temporality are charged, and all lords and other persons of the spirituality shall send companies to hostings and journeys in manner and form following:—The Archbishop of Armagh, sixteen able archers or gunners, appointed for war; the Archbishop of Dublin, twenty; the Bishop of Meath, sixteen; the Lord of St. John's, twenty; the Bishop of Kildare, eight; the Abbot of St. Thomas Court, ten; the Abbot of St. Mary's Abbey, besides Dublin, ten; the Abbot of Mellifont, ten; the Dean of Dublin, four. Every other person of that Church of St. Patrick's, that may dispend yearly forty marks, one able archer; the Prior of Christ Church, Dublin, three; the Prior of St. John's, All Saints, St. Wulstone's, Holme Patrick, Atherdee, St. John's beside Trim, two each; the Abbot of Trim, three; the Abbot of Navan, two; the Abbot of Bective, two; the Prior of St. Peter's, one; the Proctors of Lanthony, six; the Abbot of Duleek, one; the Abbot of Kenlis, one; the Prior of St. John's Church, one; the Abbot of Furnes, for every £20 he dispends there a year, one archer; the Archdeacon of Meath, six; the Archdeacon of Nobber, two; the Parson of Trim, two; the Parson of Rathwire, two; and every other spiritual person to send out of every forty marks, Irish, of their yearly *lifelode*, one able archer to the hostings, or more, as shall be seen to the deputy or Council, as need shall require. "Item, that every spiritual person, which may dispend 20 marks, and above under 40, to such, to send one archer."\* It would seem that the ecclesiastics were not free from personal service, and by a special Act, the 28th Henry VIII., the Dean of St. Patrick's and his chapter were, as a favour, exempted from attendance at the hostings.†

The state of the secular clergy throughout the country would appear to have been most deplorable. Two causes may be assigned for this—the prevalent violence and constant wars, to which the parochial and other secular clergy were peculiarly exposed, and the great extent to which the rectorial tithes had been acquired by the monasteries, whereby the altars were served by clerks reduced to the smallest pittance.

\* State Papers, Vol. II., Pt. 3, p. 212.

† 28th Henry VIII., ch. xiv., secs. 13, 14.

Were the turbulent laity or the ambitious chief likely to respect the secular priest, or spare the parish church? Were the secular clergy themselves likely to remain in their cures, under such heavy discouragements? Could the sacred buildings themselves be otherwise than the meanest and most ruinous, when their endowments were engrossed by bishops and abbots, whose whole interest was centred in that monastic order to which they severally belonged? In Ireland the parish churches fell into utter neglect: the reports even of the cathedrals sent to the pope reveal a state of squalor, decay, and poverty utterly incredible to those who are apt to judge of the churches of Ireland by those of England. How could the churches of Ireland flourish when the hand of the spoiler was abroad?—when the Irish and English natives and settlers were almost alike employed “in spoiling, preying, and burning”?—when neither “archbishop or bishop, abbot or prior, parson or vicar, or any other person of the Church, high or low, great or small, save only the poor begging friars,” cared to preach the Word of God, or look after the spiritual instruction of the people? Yet such is the evidence of an eye-witness before the Reformation, and all the evidences that remain to this day of the state of Ireland confirm its accuracy. (Carew MSS., Vol. II., xxxiii.)

It might have been anticipated that the cathedrals would have been protected by the towns or villages, which ought to have gathered around them, or at least saved from sacrilege, by the memory of the holy men in whose honour they had been erected; but such was not the case. By the following reports of the papal legates we may learn how utterly they were desecrated, and how dense was the darkness which had settled down upon the remote districts of the island. In 1515, Henry VIII. applied to the pope to appoint Quintin Ohnygyn to the Bishopric of Clonmacnoyse; and on the 15th June, in that year, John Matthias Gilbert, according to the practice of the Curia, reports as follows to the Roman See:—“The town (*civitas*) of Clonmacnoyse is situate in the island of Ireland, and province of Tuam, placed among woods towards the west, and consisting of scarcely twelve cabins, built of wicker work and mud, close to which on the left hand flows a river, styled in the language of the inhabitants the Sinin. It is distant from the sea about one day’s journey. On the right side towards the east is

a cathedral church almost ruined, unroofed, with one altar only covered with straw, having a small sacristy, with one set of vestments only, and a brass crucifix. Here mass is seldom celebrated. In it there is the body of an Irish saint, of whose name the witness is ignorant, and to whom the church is dedicated. The See is worth thirty ducats, at which sum it is assessed in the Books of the Camera. The proceeds are derived from oats and barley.”\* In A.D. 1517, Henry VIII. requested the pope to appoint Roger O’Moleyn, Canon of Clonmacnoyse, to the Bishopric of Ardagh, and respecting the condition of that cathedral we find the following report:—“The town (*civitas*) of Ardagh is in the island of Hibernia, in spiritualities subject to the Archbishop of Armagh, Primate of all Ireland, in temporalities subject to the King of England. The island of Hibernia, called by Pliny Juverna, is one-half less than Great Britain, and is now called by the barbarians Irlandia. The part of it nearer to England is somewhat more civilised (*humanior*), the rest is truly barbarous (*ferino cultu*), the inhabitants of which generally use thatched wooden houses. A large proportion of the inhabitants even spend their lives with the cattle in the fields and in caves; almost all of them wear no shoes, and are given up to robbery. The land itself produces absolutely nothing but oats, and most excellent victorious horses, more swift than the English horses; those of them which are lighter in colour are the easier in gait. In ancient times the inhabitants were called Asturians, because they came of the Asturian peoples of Spain. Now, from the proximity of Britain to them, the nature of the soil has been changed. The island is renowned (*decoratur*) by the holy bishops, Malachy, Cathal, and Patrick, who brought them to the faith of Christ, and afterwards was Primate of Scotland; and also by William Ocham, of the order of lesser friars, the celebrated dialectician, who flourished under the pontificate of John XXII.; and beside by the Cardinal of Armagh, who, in the year of our Lord 1350, was remarkable for his great learning and numerous celebrated works. Two witnesses have deposed that the town of Ardagh is situate in a mountainous district, and among woods; there are in it not more than four cabins, and very few inhabitants

\* Theiner, p. 518.



therein, on account of the continual feuds and strife which they have with their neighbours, especially in the time of the said Bishop William, who (the neighbours), when he desired to exercise temporal power, would not endure it, and destroyed utterly the remnants of the town, which in itself was barely inhabitable. In the cathedral church, there is only one altar, indeed it is wholly exposed to the air; and in it, by one priest only, and that but seldom, mass is celebrated. It has no sacristy, nor bell tower, nor bell; scarcely the necessary apparel (*paramenta*) for one mass, which is kept in a trunk in the church. There is a deanery worth ten ducats; there is an archdeaconry worth eight ducats; there used to be in the church twelve canons, a few prebends, and very ill paid (*exiguæ*) prebendaries. The diocese may be of the extent of one day's journey, and contains some country parishes, the patronage of which is vested in the bishop. From the evidence of the witnesses, I find that by prudence and dexterity all things may be brought back to their former state, provided that the Church be willing to attend to its business. The income of the diocese, which consists of some tithes, has been now reduced to the annual sum of ten ducats. It is assessed in the books of the Camera at 33½ ducats."\*

Similar is the letter of Lord Ossory to Cromwell in 1532. "The bearer has petitioned me to ascertain you of the value of a bishopric in Connaught, near Galway; it is called Enaghdone,† far from the English Pale, among the inordinate wild Irish. It is not meet for any stranger of reputation, and does not exceed £20 yearly. The clergy of it are far out of order, and the see church in ruin. It is necessary that there should be a herd there who has the favour of the country."‡

The neglect and disorder sometimes penetrated even to Dublin itself. In the Act of the 14th Edward IV., A.D. 1474, it is recited—"The divine service of God in the cathedral church of St. Patrick, Dublin, is daily withdrawn; and especially of late, on St. Patrick's Eve, no vespers were had in the said church, which is most piteous to hear to every native of the land."§

\* Theiner, p. 521.

[† Now united with Tuam.]

‡ Carew MSS., Vol. I., p. 49.

§ "Statute of Kilkenny," *ut supra*.

The state of the rural parishes could not fail to be at least as bad as that of the cathedrals.

Archbishop Inge, in 1528, thus describes the spiritual state of the country, especially of Meath:—"Your Grace, we doubt not, heareth the sorrowful decay of this land, as well in good Christianitie, as other laudable manners, which hath grown for lack of good prelates and curates in the Church. Wherefore, your Grace may do meritoriously to see such persons promoted to bishoprics, that their manner of living may be example of goodness and virtue. The residence of such shall do more good than we can express. The diocese of Meath, which is large of cure, and most of value in this country for an honourable man to continue in, is far in ruin, both spiritually and temporally, by the absence of the bishop there. If your Grace think so convenient, some good man, being towards the same, might be promoted to the said bishopric, which would be of the great comfort manifoldly of all that diocese; for it is said here the bishop (R. Wilson) will not return."\*

The condition of Tipperary and Kilkenny in 1525 is described by the Earl of Kildare in certain articles touching the misdemeanours of the Earl of Ormonde, and therefore to be received with some suspicion:—"All the churches for the most part, within the counties Kilkenny and Tipperary, are in such extreme decay by provision, that no divine service is kept there, and it shall be well proved that few or none laboureth to the apostle of any benefice there without the consent of the said earl, or my lady his wife, by whom he is only ruled, which are the maintainers of all such provisions, in so much as they lately maintained certain provisos against the said earl's son, being the Archbishop of Cashel, contrary to the king's letters directed in the favour of the said archbishop. If the king do not provide a remedy, there will be there no more 'Christentie' than in the middle of Turkey."†

The conduct of the officials of the Church itself could not fail to be affected by the general disorder. In the inquisition of 1537 it is found that undue fees were exacted by the bishops and their officials, for the probate of wills, and for judgments in matrimonial

\* Inge and Bermingham to Woolsey.—"State Papers," Vol. II., Part 3, p. 126.

† Carew MSS., Vol. I., p. 33.

and other causes. Various priests were charged with extortions in the fees demanded for baptisms, for weddings, and for burials; some are accused for taking portion canon, which is explained in one parish to have been the taking on a man's death of his best array, arms, sword, and knife, and the same even on the death of a wife during her husband's life; in another parish, to have been the taking from the husband on his wife's death of the fifth penny, if his goods were under twenty shillings, and five shillings if above that amount; and in a third parish, the taking of  $1\frac{3}{4}$ d. in the shilling. Some parsons, abbots, and priors were charged with not singing masses, though they took the profits of their benefices.\*

In such a disordered state of ecclesiastical affairs, the laity had lost all respect for the clergy, and the clergy themselves were constantly engaged in transactions not very consistent with their sacred functions. The violence and outrages of the Earl of Kildare to John Pain, the Bishop of Meath, and the scandalous altercation in the presence of Henry VII., are well known. In 1539, the Bishop of Kildare, speaking of a subsequent Earl of Kildare, and of an event which must have occurred before 1535, writes:—"The liberty which you obtained from the king for the house of Connall, when I was last with you in England, almost caused my death; for when the Earl being in Connall in the hall at table, at which no fewer than 300 persons were seated, heard of that liberty, he went into a great rage, and drew out a long Irish knife, so that I could with difficulty escape from him; and so long as he lived I durst not speak of it."† The Annals of the Four Masters do not present a more favourable picture of the purely Celtic districts. From 1500 to 1535, we meet with the following entries: 1500 A.D., Barry More killed by his cousin, the Archdeacon of Cloyne, who was himself hanged by Thomas Barry. 1505 A.D., Donald Kane, Abbot of Macosquin, hanged by Donald O'Kane, who was himself hanged. 1506 A.D., John Burke was killed in the monastery of Tubberpatrick. 1508 A.D., Donaghmoyne Church was set on fire by M'Mahon during mass. 1520 A.D., Nicholas, parson of Devenish, was wrongfully driven away by the laity. 1526 A.D., Hugh Maguinness, Abbot of Newry, was killed by the sons of

\* "State Papers," Vol. II., Pt. 3, p. 510.

† Carew MSS., Vol. I., p. 151.



Donald Maguinness. 1530 A.D., the Prior of Gallen was murdered by Turlough Oge Macloughlin. 1530 A.D., O'Quillan was murdered, and the church of Dunboe burned, by O'Kane. 1534 A.D., Hugh, Abbot of Boyle, was nominated The M'Dermott, but the sons of Teague M'Dermott took the rock from him, and the country was not less disturbed in his time.

The disturbed state of the country, and the disregard of canonical rules, are curiously illustrated by a Bull of Faculties issued by the pope, Innocent VIII., to the Archbishop of Tuam, in May, 1490:—"Whereas the province of Ireland, as facts prove, is far distant from the Roman Curia, and as we have heard from the evidence of witnesses well worthy of credence, there arise sometimes between the natives and inhabitants (*incolas et habitatores*) of the said province contentions, and other differences and wars, and thereupon follow slaughters of men, and wastings of churches, and plunder of goods, and sometimes it occurs that for the purpose of allaying the contentions between them and their relations and friends, and for the procuring and establishing peace between them, they sometimes contract marriages within the relations forbidden by canon law." In consequence of the state of things, the pope gives the archbishop certain powers of dispensation.\*

In the disregard of things sacred, and desecration of churches, the natives were, upon the whole, outdone by the English. In the old popular Anglo-Irish story of "Beware the cat," the English raiders, after slaying the inhabitants of two farmhouses, and taking such cattle as they found, "which was a cow and a sheep," depart homewards; "but doubting they should be pursued (the curre dogs made such a shril barking), he got him to a church, thinking to lurk there until midnight was past; for he was sure that no man would respect or seek him, for the wild Irishmen had churches in such reverence, *till our men taught them the contrary*, that they neither would nor durst either rob aught hence, or hurt any man that took the churchyard for sanctuary; no, though he had killed his father."

The churches in the English seaboard towns were probably an exception to the rule. Churches or cathedrals were then protected

\* Theiner, p. 504.

against violence and robbery. The inhabitants were profoundly Catholic, as they proved on many occasions during the sixteenth and seventeenth centuries. The condition of the cathedral in the little town of Ross may be favourably contrasted with that of Ardagh and Clonmacnoyse. On the 29th October, 1517, the papal legate reports as to the See of Ross:—"The town of Ross is situate on the western part of Hibernia, by some called Ireland, in a plain by the sea side, in a district fertile in grain (*frumento*) especially; it is surrounded by a wall; has two gates, and almost two hundred houses (*casas*). In the centre of it is the cathedral church, dedicated to the Irish 'confessor,' St. Facuan, built of rough ashlar, of about the size of the Church of St. Maria de Populo, of an oblong form, after the fashion of a cross. It has two doors, one in front, the other at the side, at both of which there is a descent of three steps; it has three naves supported on stone pillars (*tres naves super pilareis lapidibus*); it is roofed with wood covered with stone slates; the floor is not paved; the choir is in the middle, and is provided with seats; at the end (*in capiti*) of the choir is the high altar, to the left of which is the sacristy, which is well supplied with a mitre and crozier of silver. Outside the church is the burying ground, in which is the belfry built like a tower, with one bell. In this church, beside the bishop, there are three dignitaries—a dean worth twelve marks, an archdeacon worth twenty marks, a chancellor worth eight marks. There are twelve canons, of about the average value of four marks." Mass was performed there every day. Upon saints' days there was celebrated the proper mass of the office of the day. The bishop's income was sixty marks, and it was assessed in the books of the Camera at 33½ marks.\*

The ecclesiastic buildings, of both seculars and regulars, still remaining, though mostly ruined, in Kilkenny, Waterford, Drogheda, Cork, Limerick, and Galway, are sufficient evidence of wealth and comparative security, as also of the religious feeling of these several towns. Dublin, notwithstanding its greater size and importance, was perhaps less advantageously situated than the other seaboard English towns. Its territories were exposed to repeated incursions,

\* Theiner, p. 520.

and its inhabitants subject to hostings, and the constant exactions of an ever-bankrupt Government. Yet Dublin, in proportion to its size, possessed a very large number of ecclesiastical buildings. With wonderful perseverance, the work of destruction was carried on for two centuries, although the expense of demolition must have far exceeded the value of the ground. Except the two cathedrals, there exists only one ancient ecclesiastical building, which, until very lately, seemed in a state of hopeless ruin. We can now with difficulty trace in the names of disreputable by-streets the traditions of the great mediæval buildings, which, with the relics in the treasury of the old cathedral, were once the pride of the citizens.

In Ireland the monastic had always overbalanced the secular element of the Church. The original Celtic Church had been almost purely monastic in its character. The episcopal and parochial system was not introduced until very shortly before the date of the English invasion. It was the monastic character of the bishops which then chiefly attracted the attention of English ecclesiastics. Subsequent events in Ireland, and the attempts made to assimilate the Irish Church to that of England, never succeeded in giving to the episcopacy the same position and influence which they enjoyed elsewhere. At the date of the English conquest, very many of the Celtic monastic institutions had disappeared. The Danish invasions and constant civil wars had necessarily destroyed many of them; many more were converted into parochial or cathedral churches, but the devotion of the Norman lords soon raised the monastic institutions to more than their original importance. The English and French settlers in Ireland were eager to introduce the monastic orders to which they had been accustomed. They restored ancient monasteries and founded new, built after the English or Continental fashion, and inhabited by monks bound by some of the rules then established in the Catholic Church. Where the Norman lords were permanently settled monasteries sprang up, utterly unlike the establishments of the original Irish Church. Gradually the native princes imitated their invaders, and the system of Celtic monasteries disappeared. Thus Ireland was filled with a new order of monasteries, more wealthy, splendid, and, perhaps, more useful, than those of earlier times. The larger proportion of these monasteries was situate in territory



which always continued to be, or at least originally had been, held by Norman lords. The eastern half of Meath and Uriel, the land of the Pale lords from Dublin to Dundalk, was full of monasteries. The counties of Carlow, Kilkenny, and Tipperary, the land of the Butlers, contained also many of them. The foundations of the southern Fitzgeralds and their vassals were thickly scattered through Cork. The De Burghs had founded such institutions in the remotest parts of Connaught. In and around the English towns many monasteries were clustered. The size and importance of these institutions have been generally underrated. They did not, indeed, attain the regal magnificence of English or Continental monasteries, yet many of them were not merely relatively, but even absolutely important. This is abundantly proved by the ruins which still exist, in spite of constant neglect and desecration. The history of Irish monasticism is unwritten, and its architectural relics neglected. Until the late revival of Gothic taste, Protestants naturally treated the ruins with studied neglect and contempt. Catholics were equally ignorant of their value, and were equally guilty of injury and desecration. Irish antiquarians have had an unfortunate predilection for misty pre-Christian researches. English artists have studiously undervalued the remains of Norman or Gothic architecture in Ireland. In this, as in other respects, there is no portion of Irish history and antiquities so uninvestigated as the condition, social and religious, of the Anglo-Norman colonists from the twelfth to the end of the fifteenth century. The actual wealth of the Irish monastic institutions cannot be easily estimated, but it has probably been much exaggerated by popular tradition. The condition of the country was not such as to facilitate the accumulation of capital, and the estimated value of monastic property at the date of the dissolution of the monasteries, after the fullest allowance for waste, concealment, and actual plunder, is far below what might have been anticipated. The number of monastic institutions in Ireland, at the date of their dissolution, probably fell little short of 400. Sir J. Ware estimates their number at 382; purposely omitting those which, erected in the early period of the Irish Church, had been converted into parish churches, most of those which he enumerates had been founded within three or four centuries of their dissolution. This catalogue swelled up in

Harris' edition to 565, but many of these had confessedly ceased to exist. The list of the suppressed institutions must fall short of the truth, as many monasteries existed to a much later period, and many were concealed from, or escaped the notice of the Government. In 1578 it is reported that thirty-four abbeys and religious houses, with very good land belonging to them, had never been surveyed before 1569, and that seventy-two abbeys and priories had been concealed from her Majesty.\* The monasteries in Ireland were divided among the various orders in the following proportions. The Augustinian order was far the most numerous. Their number had been swelled by the adhesion to them of several of the early Irish monasteries. They amounted to 220 houses for regular canons and sixty-five for nuns. Of the Aroasians, a reformed branch of the Augustinians, there were about seventy monasteries and twenty nunneries. There were seven establishments of the regular canons of St. Victor, and about the same number of Premonstratencians. As might have been expected from the date of the foundation of the Irish monasteries, the number of Benedictine institutions was but small, amounting to no more than ten for monks, and about half that number for nuns. Of the mendicant orders, the Dominicans, or black friars, had about forty establishments; the three orders of the Franciscans, or grey friars, 114; the Carmelites, or white friars, twenty; and the Austin friars, and the crutched friars, who were subject to the same rule, thirty-six; the Trinitarians, an order instituted for the redemption of Christians who were in captivity among pagans, one.

The military orders can scarcely be reckoned at this period as an ecclesiastical institution. The Grand Prior of Kilmainham was the most powerful baron of the Pale, and the members of his order were chiefly employed as a standing force against the native Irish. If the Knights of St. John were generally useful auxiliaries to the Government, they could sometimes prove dangerous from their turbulence, of which the exploits of the turbulent prior, James Keating, were an example, who, as appears by an Act, passed at Trim, A.D. 1478, "calling himself Prior of Kilmainham, and constable of the King's Castle of Dublin, fortified the said castle with

\* Carew MSS., Vol. II., p. 157.

men-at-arms against the most noble Henry, Lord Grey, Deputy Lieutenant of Ireland, and would not suffer his steward or officers to come into the said castle for their lodging, nor for the repairs of the same; and also broke down the bridge of the said castle for his defence against the said deputy contrary to his allegiance."\* Of this order there were twenty-three hospitalries, and one of the kindred order of St. Gilbert.†

In estimating the advantages and disadvantages at this date of monastic institutions in Ireland, the result must, on the whole, be considered as favourable to them.

The objections urged against the English monasteries scarcely apply to those of Ireland, and various arguments may be adduced in their favour. It must be admitted that in some respects the properties and privileges of the monasteries were injurious to the religious condition of the people. The Irish monasteries had acquired an unusually large proportion of advowsons, of which, according to their ecclesiastical customs, the monastery or corporation of monks was the perpetual rector, and the altar was served by a stipendiary curate, denominated the vicar. It was the interest of the abbey to have parochial service performed at the lowest rate, and of the ill-paid vicar to do as little as possible for his salary. This evil existed in England; but it was prevalent to a far greater extent in Ireland, and it tended to reduce the position and means of the parochial clergy in a Church the weak point of which was the poverty and inefficiency of the secular clergy. The establishment and maintenance of order were as urgently required in Ireland in matters religious as secular; but the immunities of the abbeys, and the exemption from episcopal rule which they enjoyed under numerous Papal Bulls and dispensations, took a large proportion of the ecclesiastics entirely out of the control of the bishops. It must, however, be admitted that the causes which impoverished and degraded the secular clergy sprang from the social and political condition of the country, and, probably, if in the parishes annexed to the monasteries rectors had been substituted for vicars, matters would not have been improved, and the property of the incumbent

\* Tracts relating to Ireland, Archæological Society, Statute of Kilkenny, p. 85.

† Mant, pp. 40-43.



would have been devoured by some spoiler either English or native. As to the diminution of episcopal government which may have been caused by monastic privileges, it may be replied that the bishops as they then existed were wholly unable and never attempted to maintain or govern the national Church, and that the monastic system was then the only ecclesiastical organisation which possessed any traces of vitality.

The ordinary objections to the monastic institutions in England were—that a large proportion of the most valuable land was locked up in a perpetual entail when it had once fallen into the dead hand of the Church ; that the wealth of the convents was squandered in an indiscriminating charity, which impoverished more than it relieved, and that the possession of such large estates gave to the ecclesiastical body too great political influence. These objections scarcely apply to the Irish monasteries, as they then existed. It would have required many years of peace and industry before the Irish monasteries could have been fairly subject to the charges levelled against similar institutions in England. While large districts of the most fertile land in the island lay wholly uncultivated, and often uninhabited, it was premature to speak of the land being monopolised by any corporation, especially when the land so occupied by them was confessedly the best cultivated in the country. In a country so utterly disorganised as Ireland, an order of men professedly peaceful, and governed by definite laws, was rather a refuge for those disgusted by prevalent disorder, than an institution for the relief of paupers. As to any political influence the Church may have exercised, which was perhaps not much, it could not in Ireland have been in opposition to the ostensible government, which throughout the greater part of the island never fulfilled or attempted to fulfil any of its duties. If the Irish monasteries had abstained from the national struggle which had so long gone on between the English and Celtic population—if they had been recognised by both parties as purely religious institutions, if they had confined themselves to Christian works of peace and charity—they might have played an important part in the civilisation of the country, as the monastic orders had done in many other lands, in those early days of monasticism, when the foundation of an abbey meant the introduction of a peaceful and industrious community

into a desert and barbarous district, by whom the waste lands were destined to be reclaimed, solemn temples raised, and the necessity of labour, and the advantages of peace and order, preached by example.

But the distinction of English and Irish, which ran through everything in Ireland, infected the monasteries also. There were English abbeys, from which, by law, Irish were excluded, and Irish abbeys, which refused to admit or expelled English. The monks, according to their nation, took an active part in the never-ending war; and as a natural consequence, the English soldiers did not spare Irish houses, and the Irish ravaged the estates of the English monks. Along the wasted marches which marked the fluctuating limits of the Pale, the abbeys were more useful as garrisons or blockhouses than for any other purpose. They supplied their quota to the musters of the deputy; their inmates sometimes themselves took the field as combatants, and had often to see their estates wasted up to the very gates of their monasteries. For those who picture all monastic institutions to have been such as they themselves now think that they ought to have been, it is difficult to imagine how the religious of the English could be found to assert that it was no more sin to kill an Irishman than a dog or other brute animal; how English monks could be found to assert that if it should happen to them, as it often did happen, to kill an Irishman, they would not for that refrain from the celebration of the mass, even for one single day; how abbots and monks could make their appearance, probably in arms, invade and slaughter the Irish people, and yet celebrate their masses notwithstanding. Yet so had the Irish in 1318 described the abbots of Granard and Inch.\* In the 15th and 16th centuries the English were upon the defensive, but the English ecclesiastic had not deteriorated in warlike vigour. A prior of Louth could deserve the thanks of the Crown for having "*diversely*" sustained immense expense in defence of the country adjoining the said priory against the Irish.† In 1406, the prior of Connall with twenty men fought valiantly on the Curragh of

\* Fordun, "Scotichronicon," sub anno 1318, King's "Primer," Suppl., p. xix.

† Tracts relating to Ireland, Archæological Society, Statute of Kilkenny, p. 49.

Kildare against two hundred Irish, killed some, and put the rest to flight; whereupon the chronicle devoutly adds: "And so God assisteth all those that put their trust in Him."\* On the eve of the dissolution of the monasteries, an English priest deserved special mention for his valour at the Battle of Bellahoe. As the English monks aided their countrymen, so they had to suffer for them. An English abbey beyond the Pale was nothing better than a blockhouse in an enemy's country. Connall, in 1539, is described by the Bishop of Kildare as one the possessions of which "wholly lie in the wild Irish, among the king's rank rebels, and the rather for that the said monastery is of foundation of the noble Meyler FitzHenry, son to King Henry, so that no brother is elected unless he be of a very English nation, in consideration whereof the wild Irish rebellers doth daily cause all their extremities for the impoverishing the same monastery."†

The monks of Irish monasteries adjoining a debatable district equally supported their compatriots. The monasteries of Wexford are described in the State Papers as allies of The M'Murrough. An old contemporary story begins thus:—"I was in Ireland at the time that Macmorro' and all the rest of the wilde land were the king's enemies, which time also mortall warre was betweene the Fitzharrises and the prior and convent of the abbey of Tintern, who counted them the king's friends and subjects."‡

The complete separation of the English monasteries from their Irish neighbours is illustrated by the difficulties experienced by English houses who still possessed property within the Irish districts. Any communication with the natives might have brought them within the 2nd section of the Statute of Kilkenny. The severity of this Act was therefore occasionally mitigated, sometimes by special licences, sometimes by Acts of Parliament. Thus, by an Act passed in the 14th Ed. IV., A.D. 1474, reciting that Richard, Abbot of St. Thomas, and William, Prior of All Saints, and their convents, had much land within the habitations of Irish enemies, it was enacted that they might send and carry as well

\* Tracts relating to Ireland, Archæological Society, Statute of Kilkenny, p. 50, "Marleburrough's Chronicle."

† Carew MSS., Vol. I., p. 151.

‡ "Beware the Cat."



victuals as other necessities to the said Irish, and might let to farm, and sell the profits of their possessions to such, as often as they pleased, and might treat and be conversant with them as well in war as in peace, and might be godfathers to such, without any offence or breach of law.\*

Whatever were the faults of the Irish or English monasteries in Ireland, it must be remembered in their favour that, at the date of their dissolution, the deputy pleads for some of these establishments as the sole places of education for the English within the Pale; and before the Reformation testimony is borne to the monks of the minor orders, that of all the ecclesiastical body the Gospel was preached to the people by the "poor friars beggars only."

That the Irish clergy should have been learned was, from the nature of things, impossible. The ancient traditional seminaries had perished; the monasteries could not be expected to furnish any substitute. Among the foundations of the Anglo-Normans a university was not counted. Those desirous of obtaining instruction were under the necessity of resorting to Oxford, or some other foreign university; and when we consider the expense involved in such a residence, and the insecurity and danger of the journey, the difficulties may appear almost insuperable. They might be overcome by enthusiastic students, but no large body of clergy could be thus educated. Attempts had been made to found a university in Ireland; but in a country so circumstanced such efforts had naturally miscarried. In 1310 John Leech, Archbishop of Dublin, formed a plan for founding a university for scholars in that city, and procured a Bull from Pope Clement V. for that purpose, dated 10th July, 1311, but the archbishop died before the project was carried into execution.† In 1320 the plan was resumed by the next archbishop, Alexander Bicknor, who renewed the foundation, and procured from the pope, John XXII., a confirmation of the Bull of his predecessor. A divinity lectureship was instituted by Edward III., and protection extended by him to students frequenting the university, "conscious," as the king expresses it, "of the benefits arising from such studies, and especially as thereby virtue

\* Tracts relating to Ireland, Archaeological Society, Statute of Kilkenny, p. 11.

† Ware's "Bishops," p. 330.

is propagated and peace maintained.”\* But, as there was no endowment, the scheme seems to have wholly failed ; for in 1465 an Act of Parliament was passed at Drogheda for the purpose of founding a university in that town, and endowing it with privileges similar to those enjoyed by the University of Oxford. This attempt also failed, probably from the want of any endowment.† In 1475, at the instance of the Dominicans and other regulars, Pope Sixtus IV. issued a Bull, whereby, reciting the abundance of teachers, but the deficiency of schools in Ireland, and the rarely embraced and expensive nature of foreign education, he sanctioned the establishment of a university in Dublin, for the study of the arts and theology, and the conferring of degrees therein.‡ There must have been some sort of educational establishment in Dublin in 1496 ; for in that year the Archbishop Fitzsimons held a provincial synod in Christ Church, on which occasion an annual contribution for seven years was voted by the clergy, to provide salaries for the lecturers of the university at St. Patrick’s Cathedral.§ At the date of the introduction of the Reformation no such institution was existing ; nor, even if it had then existed, would have been available for the Irish portion of the clergy.

As to the moral character of the clergy of the Irish Church, the judgment to be pronounced by different persons will much depend upon the view they take as to the relative importance of the several virtues which together make up the Christian character. They certainly, with the exception of the mendicant friars, totally neglected their duty of instructing or preaching to the people. In an age of lawlessness and violence, they never came forward to protest, as Christian priests, against the tyranny, robbery, and murder, rife around them ; their episcopacy were, to a great extent, agents of the English Government ; and the mass of the clergy were split into hostile parties, and participators in the national animosities and lawless violence of those times. If patience, longsuffering, and charity are the primary attributes of the Christian character, the verdict as to their conduct must be unfavourable. Others may,

\* Mason, “ St. Patrick’s Cathedral,” p. 101.

† Ware’s “ Bishops,” p. 344.

‡ Dalton’s “ Lives of the Archbishops of Dublin,” p. 167.

§ *Ib.*, p. 176 ; “ Allen’s Registry,” f. 105.

perhaps, be inclined to judge them by what is called their morality or immorality. As to this portion of their conduct there seems, in their case, to be small grounds for attributing to the Irish clergy the relaxation of morals with which the monastic orders were too indiscriminately charged at this period. In 1536, Cowley reports to the English Government that the Irish abbeys were worse even than the English; but an indefinite charge made by such a person, at such a time, carries very little weight with it. There is also the story told by Bishop Bale, in 1552, of the priest of Knocktopher, who boasted himself to be the son of a Carmelite prior; and the statute of 11th Elizabeth, c. 6, which recites the abuses of ordination in admitting to orders the illegitimate children of abbots, priors, chaunters, and such like. It may be admitted that gross abuses existed in certain localities, as is abundantly proved by the extraordinary enactments of the Corporation of Galway in 1520 and 1530, and also by the finding of Clonmel jury upon the inquisition of 1537. On the other hand, at a period when every charge of irregularity or immorality would have been eagerly received by the government, as a justification for the dissolution of monasteries, even within a few years after the celebrated commission of inquiry into the condition of the English abbeys, no general charge of immorality was brought against the Irish monasteries. No such charge is made—certainly no such charge based upon definite facts—by Archbishop Browne, who never spared any terms of reproach and abuse towards the priests and friars, who hampered and opposed his attempts at reformation or innovation.

In the commission of the 7th of April, 1539, issued to the Chancellor, the Archbishop, and others, for the dissolution of the monasteries, it is indeed asserted “that the monasteries, abbeys, priories, and other places of religious or regulars in Ireland, were in such a state that in them the praise of God and the welfare of man are next to nothing regarded;” but when it proceeds to particularise, the only specific charge made is, “that the regulars and nuns dwelling there were so addicted, partly to their own superstitious ceremonies, partly to the pernicious worship of idols, and to the pestiferous doctrines of the Roman pontiff, that unless an effectual remedy was promptly devised, not only the weak lower order, but the whole Irish people, might be speedily infected, to



their total destruction, by the example of these persons.”\* When it is considered that the scandalous condition of the Church in Scotland is abundantly proved by the evidence, not of its enemies, but by the resolutions and canons of synods held before the Reformation, but no such evidence is forthcoming as to the state of the Irish Church, and that by the persons most interested in decrying the Irish monastic orders no such charges were brought forward as those studiously collected against the English monasteries, it may fairly be concluded, that, as regards alleged dissoluteness of life, the Irish regulars presented a favourable contrast to similar orders in the neighbouring island, especially in Scotland.

No fact is more generally admitted than that, prior to the arrival of George Browne, the first Protestant Archbishop of Dublin, the doctrine of the Reformation had made no progress. Seventeen years after Luther's appearance, not only there was no Protestant Church in Ireland, but up to that period not a single person had embraced the Reformed doctrine, or even knew anything of it, save as a heresy, which then overran Germany, and had, in some degree, infected England.

If Protestant missionaries had arrived, they would, probably, have made but little progress, as the political, social, and mental condition of the people was unfit to receive the Lutheran doctrine.

The Reformation was a purely Teutonic or German movement, and the offspring of German religious feeling under very peculiar and exceptional circumstances. It was, beside, not a religious movement merely; for what we call the “Reformation” was but the religious or doctrinal side of the moral and intellectual revolution which broke up the traditions of the middle ages. So far from the intellectual condition of Ireland advancing with that of the Continent, it had retrograded continuously from the date of Edward Bruce's invasion; and its condition in the sixteenth resembled more that of the twelfth than of the fourteenth century.

The causes of the Reformation in Germany may be summed up thus:—the classical learning and the sceptical spirit, or spirit of free inquiry, the corruption of the clergy, the exactions of the Roman Curia, and the national sympathies of the Germans.

\* Morrin, Cal., Vol. I., p. 55.

The corruption of the Church and monastic orders was not worse at the date of the Reformation than it had been in the days of St. Francis. The minor orders founded by him preached as strongly against the corruption in the Church without respect for persons as ever the Protestant reformers; but inasmuch as, although its abuses provoked their indignation, the theory of the Catholic Church perfectly fell in with their ideas, the result of their efforts was internal reform, not a schism.

In the fifteenth century the study of the classics had been revived. The learned flung themselves into classical pursuits with an enthusiasm which we cannot now understand. Classicism became the fashion in language, literature, philosophy, and art. In the literary capitals men played the characters of Greeks or Romans. Good society, even at the Roman Court, was anything but Christian. All the presumptions and traditions of the middle ages were assailed, Gothic art perished, and the scholastic theology was exploded; the doctrines, ceremonies, and practices of the Church found no immunity—they were all put upon their trial. The conservative spirit of reverence for the past was never at a lower ebb, not even during the French Revolution itself. Meanwhile, the ignorant and corrupt mass of the German clergy had contrived to get into collision with both the educated and more religious portion of the nation; and the papal government, then degraded into a petty but most ambitious Italian state, grasped money with both hands, to be expended in Rome, or squandered in Italian intrigues. The profligate sale of indulgences exploded the mine which had been prepared for many years.

It was long before the "protest" crystallized into affirmative doctrines. But the entire religious movement was influenced by that characteristic of the German nature in which it differs most conspicuously from the Celtic—self-completeness, self-confidence, and individualism. The Protestant spirit denied the powers claimed by the Catholic Church as a divinely commissioned corporation, depreciated the benefits of sacraments and outward and external acts, such as pilgrimages or penances, and forced each man, alone and unfortified by rites or ceremonies, to face the great question of his future life, and himself, as best he might, to discover how he could escape from the wrath to come.

In Ireland none of the causes which had produced the Reformation as yet existed. There was no university in the island, there was no knowledge of the revived classical literature, there was no learned or sceptical class whatsoever ; so far from a portion of the clergy doubting the authority of the schoolmen, the vast majority had probably never heard of their existence ; the spirit of doubt had not been awakened, and every tittle of the creed, ceremonies, traditions, and, to some, superstitions which had been handed down from their fathers, was, as yet, received without hesitation and believed to be divine. As to the corruptions of the Roman Court and the exactions of the Curia, the Irish Church was ignorant of them ; from the far western island the sacred city loomed mystical and wondrous, as distant mountain peaks seem in a haze. The ecclesiastical tax-gatherer seldom resorted to the distant and impoverished island. Machiavelli bitterly remarks that the religious faith of Christian nations was in the direct ratio of their distance from Rome ; of this sarcastic witticism the Irish Church was the chief example.\* The Irishman of this period saw no reason why he should distrust or dislike the pope or the doctrines of the Catholic Church ; but, had even the ground been prepared for the new doctrine, the Reformation, as it was then preached on the Continent, would have been presented to both Celts and English in the precise mode most distasteful to each.

To the Teutonic mind society is an aggregate of free individuals ; to the Celt the individual seems to exist only as a member of a society, living for and in his tribe, his chief, and family. The Church was to him in things divine what his tribe was in things temporal. He existed spiritually merely as a member of the divine society to whose protection he trusted ; by its rites he was fortified, to its creeds and ceremonies he clung with childlike simplicity. To him the destruction of his Church must have

\* "La quale religione se ne' principi della repubblica cristiana si fusse manteunta secondo che dal Datore d'essa ne fu ordenato, sarebbero gli stati e le republiche cristiane più unite e più felici assai ch' elle non sono. Ne si può fare altra maggiore coniettura della declenazione di essa, quanto e vedere come quelli popoli che sono più propinqui alla chiesa romana, capo della religione nostra, hanno meno religione."—De' Discorsi, Lib. i. cap. 12.



seemed as terrible as the dispersion of his tribe. It was not in his nature to stand apart from others, self-reliant and alone.

Although the descendants of the Anglo-Norman and Saxon colonists still retained much of the English character, as the subsequent reigns of Elizabeth, James, and Charles proved, to them any assault upon the authority of the Church must have been peculiarly hateful. The English settlers in Ireland were under the joint protection of Church and king. In their hours of danger, if the king supported or was expected to support them with material aid, so was the Church ever ready to launch its excommunications against the hated Irish enemy. More even than this, it was through the Church the king claimed to be the lord of Ireland. A pope had authorised the invasion, and given to the King of England an ostensible title. The estates, rights, and legal position of the English colonists, all ultimately rested on the great doctrine of papal supremacy. To question this was to strike at the root of the English society in Ireland.

To comprehend the religious and social effects of the introduction of the Reformed Church by Henry VIII., it is necessary to understand the religious condition of the country, and to attempt to realise what must have been the results of the denial of the pope's supremacy, the dissolution of the monasteries, the abolition of the public and customary rites and ceremonies of the Church, and the substitution of an English Protestant and official episcopacy for the former Catholic bishops.



## NOTES TO CHAPTER XII.

---

### NOTE I.

THE statement in the text is hardly accurate. Richard Creagh, the papal nominee, had been arrested immediately on landing in Ireland, and at the date of the letter referred to was in custody in the Tower. Shane O'Neill seems only to have been anxious to have Terence Danyell, an Irishman (probably an O'Donell), who was Dean of Armagh, and said to be his foster-brother, but who was willing to conform, appointed by the queen instead of an Englishman. Creagh afterwards escaped to Shane, and was recognised by him as archbishop. They do not seem to have got on very well. He did not, and could not, approve of Shane's ways, and Shane seems to have kept up a negotiation about Danyell. Archbishop Creagh afterwards retired to Connaught, was there arrested, sent to London, and died in the Tower. See *Spicilegium Ossoriense*, Vol. I., pp. 38-58. The Queen to Sidney, July 6th, 1567. Bagwell, *Ireland under the Tudors*, Vol. II., pp. 357, 359.

---

### NOTE II.

The last two instances were, however, after the question of Catholic and Protestant had arisen, and the nominees of the Crown were not recognised by the pope. Meyler M'Grath was, in 1570, appointed by the queen Archbishop of Cashel, and for a time was at once Bishop of Down, appointed by the pope, and Protestant Archbishop of Cashel. Even before the Reformation, the Archbishop of Armagh habitually resided at Drogheda, and usually only paid a visit to his cathedral for the purpose of his installation. See the interesting account of the Irish career of Archbishop del Palacio, by Dean Reeves, now Bishop of Down and Connor, in *Proc. Royal Hist. and Arch. Soc. of Ireland*, Vol. III., 4th Series, 341.

## CHAPTER XIII.

---

### REIGN OF HENRY VIII.—CIVIL GOVERNMENT AND POLICY.

ON the 11th June, 1534, Lord Thomas Fitzgerald renounced the king's authority, and went into ostentatiously open rebellion. This insurrection, though apparently most formidable, did not possess in itself any element of success. The first necessity for a rising is a probable cause to justify an appeal to arms, not merely some reason of policy not comprehended by the masses, nor the pretence that thus some future, perhaps problematical, evil may be averted ; but either the insurgents must propose to remove some evil which affects every man, or many men, in their ordinary life ; or they must appeal to some sentiment which will find an echo in the hearts of the masses. The Geraldine could not protest against the evil government of England, or promise to the masses justice and order. The English Government had been the tool of the Geraldine ; by them and for their interest the executive had been wielded ; for its evil doings they were of all the most responsible. They could not appeal to any sentiment of nationality, for there was no Irish nation ; and in the season of their power they had ever aimed to render their faction and allies dominant over the other inhabitants of the island. The only object of the outbreak was to frighten England, as had often been done before, into the old policy of appointing its worst subject the viceroy of Ireland. As a watchword for the outbreak—as a watchword merely, for their conduct belied any religious views whatsoever—they professed themselves the champions of the Catholic Church, then so sorely assailed by Henry in England. “ The said earl's son, brethren, kinsfolk, and adherents, do make their avaunt and boast that they be of the



pope's sect and band, and him will they serve against the king and all his partakers ; saying, further, that the king is accursed, and as many as take his part."\* Whatever steps had been taken against the pope and the Catholic Church in England, no measures of a similar nature had been as yet introduced into Ireland, and a *quia timet* insurrection is not calculated to arouse popular sympathies.

However ill-conceived and ill-conducted the rising might prove, it was eminently dangerous, from the possibility of its connexion with Continental politics. It might be supported by the emperor, or the pope might adopt his voluntary allies, and inaugurate a religious war, the limits of which could not be estimated. Popular rumour anticipated the former contingency. Report was made by the Vicar of Dungarvan that the emperor had sent certain letters unto the Earl of Desmond by the same chaplain, which had been sent to the then late earl ; "and the common bruit is there in that quarter, that his practice is to win the Geraldines and the Byrnes ; and the emperor intendeth shortly to send an army to invade the cities and towns by the sea-coast of this land."†

In 1523 the Earl of Desmond had negotiated a treaty with the King of France, by which he had agreed to make war against Henry VIII. upon the arrival of a French army. In 1529 he had received a letter from the emperor, dated the 24th of February of that year, in which Charles V. wrote—"We have ever endeavoured to remain in friendship with the King (of England) ; he has nevertheless declared himself against us, in favour of the King of France, my enemy, and has sent us a defiance, and beguiled by evil persuasions, he is endeavouring to divorce himself from the queen, our aunt, his lawful wife, and to give the duchy of Ireland to a bastard son of his, which we can in nowise suffer, as it is to the prejudice of the princess, his only daughter and heir. We shall oppose it by all possible means, and trust the earl will aid us with all his forces. We promise to include him in any treaty we may make with the King of England."‡

Henry VIII. had already allowed it to be known that the measures adopted in England against the Church would, upon the

\* State Papers, Henry VIII., Vol. II., Pt. 3, p. 198. † Idem.

‡ Carew MSS., Vol. I., p. 42. [And for a detailed account of this negotiation, Bagwell, *Ireland under the Tudors*, Vol. I., p. 184, *et seq.*]

first opportunity, be extended to Ireland. As if to give all parties notice of his intentions, and to render what would necessarily be to many an unpopular act insulting to all members of the Church, the following passage occurs in the indenture between the king and Sir Piers Butler, Earl of Ossory, dated the 31st May, 1534 :—

“Considering that it is manifest and notorious that the provisions and usurped jurisdiction of the Bishop of Rome hath been, and continually is, the most and principal cause of the desolation, division, ruin, and decay of the said land of Ireland, by the abominable abuse whereof the cathedral churches, monasteries, parish churches, and all other regular and secular, for the more part, in effect, through the land ben in utter ruin and destroyed; for the said Bishop of Rome commonly hath preferred, by his provisions, to the administration and governance of them, not only vile and vicious persons, unlearned, being murderers, thieves, and of other detestable disposition, as light men of war, who, for their unjust maintenance therein, sometime to expel the rightful incumbent, and other seasons by force of secular power to put the true patrons from their patronage, and other their misorders, have not only spent, wasted, and alienated such lands as the king, his noble progenitors, and his nobles, gave to the augmentation of God’s divine service in the churches of that land, the exhibition and maintenance of the ministers of the same, and the utensils and ornaments there; but also, by occasion of the same, great wars had been stirred amongst the king’s people, and countries went, bishops, and divers other persons, spiritual and temporal, murdered, and many other detestable things have ensued thereby, which would abhor any good Christian man to hear, to the high displeasure of God, the violation of his laws, the derogation of the king’s jurisdiction and regality, and the great detriment of his nobles and people.” Therefore the king “hath willed his said deputy to resist with all his power the abused and usurped jurisdiction of the said Bishop of Rome in the premises.”\*

The rebellion commenced upon the 11th of June, and no English forces landed until the 17th October. In the meanwhile the Lord Thomas had done everything in his power to render his rebellion abortive. This champion of the Church commenced by

\* Carew MSS., Vol. II., p. xlviiii.

the murder of the Archbishop of Dublin, with his chaplains, at Artane. As if to render a general religious rising impossible, he called up his allies the O'Connors, and proposed to waste the Pale, the inhabitants of which were then and long after the most zealous adherents of the Papacy. He besieged the city of Dublin, and accepted a surrender of the town, exclusive of the castle. He first besieged and then raised the siege of the castle, and marched off to meet the Butlers, who had declared for the king. Having failed to do anything effectual against the Butlers, he marched back to Dublin, and besieged the city a second time, and again raised the siege, to oppose a second attack of the Butlers. Then he returned again to Dublin before the landing of the English army, which he failed to prevent, and subsequently employed himself in wasting the Pale, until the advance of the deputy, when, having thrown a garrison into Maynooth, he disappeared in the woods and bogs, and never again attempted anything practical.

The English army meanwhile, through the procrastination of the new deputy, Skeffington, the insufficiency of its supplies, and the badness of its equipment, remained inactive until the month of March, 1535, on the 14th of which it appeared before the castle of Maynooth.

The territory of the Leinster Geraldines was defended by a chain of castles, of which Maynooth was the most formidable, and the nearest to Dublin. No labour or expense had been spared to make it impregnable; and it was supplied with artillery and stores removed hither from the royal castle of Dublin. Before such a fortress the deputy's hostings, or an English army of the old feudal type, would have been wasted by famine and disease. As the Ulster Celt relied upon the mountains or forest and lake fastnesses of that province as a secure retreat against the English power, so the lords of Leinster and Munster placed an equal confidence in their stone-built castles. The object of both was to gain time. An English force could not be kept in the field beyond a very limited period. If the castle could not be taken by a *coup de main*—and Maynooth could not be so taken—it was anticipated that within a few weeks the besieging force must break up, and return to Dublin, whereupon, to save further expense, a peace would be patched up with the rebel, who was invariably pardoned, and, in



the case of the Norman lords, if particularly dangerous, thereupon appointed to important office under the Crown. This siege of Maynooth is remarkable as being the first occasion on which, in Ireland, the old feudal fortalice was besieged in form, and battered by heavy artillery. The result of this siege suddenly taught the Leinster and Munster lords that the piles in which they placed their trust had ceased to be any practical protection when seriously attacked, and become little better than traps, in which the garrison was certain to be captured or destroyed. Skeffington's artillery, in 1535, taught the Irish Norman lords the same lesson which in 1549 the Italian hackbuttiers taught the Devonshire rebels—that neither feudal castles nor insurgent peasants could have any hope to resist the troops equipped after the then modern fashion.

The fate of Maynooth is briefly summed up in the deputy's report of the 26th March, 1535 :—

“ On 14th March, I, your deputy, with your army, besieged the castle of Maynooth, which Thomas Fitzgerald so strongly fortified with men and ordnance, ‘as the like hath not been seen in Ireland since any your most noble progenitors and [had ?] first dominion in the land.’ Within the same were about 100 able men, of whom more than 60 were gunners. On the 16th ‘your ordnance was sent to the north-west side of the dungeon of the same castle, which did batter the top thereof on that wise, as their ordnance within that part was dampned.’ Then your ordnance was bent upon the north side of the base court of the castle, ‘at the north-east end whereof there was new made a very strong and fast bulwark, well garnished with men and ordnance; which the 18th, 19th, 20th, 21st, and 22nd days of the said month did beat the same by night and day on that wise, that a great battery and a large entrance was made there.’ On the 23rd, being Tuesday next before Easter Day, a galiard assault was given, and the base court entered. About 60 of the ward of the castle were slain, and of your army only John Griffin, yeoman of your guard, and six others.

“ We next assaulted the great castle, which yielded, wherein was the Dean of Kildare; Christopher Paris, captain of the garrison; Donagh O'Dogan, master of the ordnance; Sir Simon Walshe, priest; and Nicholas Wafer, (which took the Archbishop of Dublin,) with divers other gunners and archers, to the number of

37, which were all taken prisoners, and their lives preserved by appointment, until they should be presented to me your deputy, and then to be ordered as I and your council thought good. We thought it expedient to put them to execution, as an example to others.”\*

After the fall of Maynooth the Geraldines made no further resistance. The efforts of the English Government were directed, not to their defeat, but to their capture, which was at length effected in a discreditable manner. The representatives of a house which had been so long a cause of danger and discredit to the Crown could have expected little, and found no mercy. They all perished, save two boys, whose strange adventures are one of the romances of history. But, even after their ruin, the name of the Geraldine was the rallying cry of the anti-English and Catholic party: and their restoration was for some time the professed object of the chiefs, especially those of Ulster, who had belonged to their faction.†

\* Carew MSS., Vol. I., p. 65.

† The history of the rebellion of Silken Thomas, as detailed by the Four Masters, is a proof how little Irish chroniclers understood the meaning of events which occurred in the English portion of the island—how completely they viewed them through a Celtic medium:—

“The Lord of Kildare, Lord Justice of Ireland, Gerald Oge, the son of Gerald, son of Thomas, the most illustrious of the Irish and of the English of Ireland, in his time, for his fame and renown had spread not only throughout all Ireland, but his great and noble exploits were heard of in the distant countries of the foreign nations, died in imprisonment in London. After that, Thomas, the earl’s son, prepared to be avenged on the English for his father’s death, and upon all those who conspired to have him expelled out of Ireland. He gave up the king’s sword, and committed many evils against the English. The Archbishop of Dublin, who was his father’s enemy, and many others along with him, came by their death through him. He took Dublin from Newgate outwards, and received hostages and prisoners from the rest of the towns, through their fear of him. He completely plundered and laid waste all Fingall, and from Slieve Roe to Drogheda, and all Meath was made to tremble by the earl’s son on that occasion. When the king obtained intelligence of this, he sent relief to the English—namely, William Skeffington, as Lord Justice, accompanied by Leonard Grey and a large fleet, and they immediately commenced to spoil all the possessions of the earl’s son. They took the castle of Thomas, namely, Maynooth, his residence, and expelled him from his territory. His father’s five brothers also rose up

The capture of Maynooth, and the fall of the great Norman house, produced upon the inhabitants of the island a moral effect greater than any other single success in our history, except the storm of Drogheda by Cromwell. When the Geraldine had fallen almost without resistance, what single chief could hope to stand up against the English power? when the great castle of Maynooth had been breached and stormed, what feudal fortress could be made good against modern siege artillery? On the 31st December, 1535, Justice Aylmer could write to Cromwell:—"Irishmen were never in such fear as now. The king's sessions are being kept in five shires more than formerly. Many malefactors have been taken and hanged, especially in the county Kildare, where, at the last assizes, eighteen were hanged, and part of them quartered."\*

During the succeeding deputyship, that of Lord Leonard Grey, the authority of the king, or rather the consciousness and dread of his power, were extended over the entire island. On the 20th January, 1536, O'Connor, the most powerful and dangerous vassal of the Geraldines, and who held the passages from Leinster to Munster, submitted. In an indenture of this date he stipulated "that if the deputy, with his army or otherwise, shall decree to pass through the dominion of O'Connor to any other parts, he shall be allowed to do so without hindrance from Bernard O'Connor or his kinsmen;" and he shall make proper roads for their passage, as

against Thomas, to aid the English; for they expected that one of themselves should obtain the earldom if Thomas should be conquered. When the before-mentioned Saxons found it impossible to take the said Thomas prisoner, after depriving him of his towns and manors, and banishing him to seek the protection of the Irish of the south of Ireland, particularly the O'Briens and O'Connor Faly, all of whom were combined in a powerful confederacy against them, they in council came to the resolution of offering him a pretended peace, and then taking him by treachery. They therefore sent Lord Leonard to the earl's son, and he promised him pardon on behalf of the king, so that he cajoled him to go with him to England, when the earl's son was immediately made prisoner, and sent to be closely confined in the king's tower."

The Geraldine is here glorified for the very acts which are to us now the clearest proofs of his folly and incapacity. The English, however, were equally unable to comprehend the ideas or objects of a Celtic chief.

\* Aylmer to Cromwell, Carew MSS., Vol. II., p. 80.



was the custom there in the time of Gerald, late Earl of Kildare, and his fathers.\* On the 22nd of the same month O'Byrne of Wicklow, the most dangerous of the chieftains, made his submission by indenture, and agreed that if the deputy should make a hosting outside Leinster, he would send a banner with twenty horsemen, with the same number of footmen, at his own expense.† M'Murrough of Wexford and Carlow submitted upon terms on the 12th of May; and thus the deputy was able to move, with his own force and that of the Butlers, upon Munster. There were not then any in that province who could remember the appearance there of an English deputy or army. On the 25th July the deputy marched against Munster; he captured without difficulty Desmond's castle of Loughgyr, "which was a stronghold in no less reputation in those parts than Maynooth in the North parts." Having thus struck a blow at the Desmond, he turned against O'Brien, and, without difficulty, captured the great castle of Carrick-Ogunnel on the Shannon. The pride and strength of the O'Brien then lay in the fortified bridge across the Shannon, between Killaloe and Limerick, which served as a *tête-de-pont* for the invasions of the territory of North Munster. Castles had been built upon the bridge, which were mounted with artillery, and strongly garrisoned. The resistance was not more successful than at Maynooth. "On Friday," the Council report to the king, "we marched with all the army, and with the demi-culverine and other ordnance, towards the bridge, and by the conduct of the said Donagh (O'Breene) and his friends, we were brought to it in a secret and unknown way on this side of the water, where never English hosts or carts came before. On Saturday we came to the bridge. On this side was a strong castle, built all of hewn marble, and at the other end another castle, not of such force; both built in the water, at the same distance from the land. At this end they had broken four arches of the bridge betwixt the castle and the land. The gunners bent all the ordnance upon the great castle on this side, shooting at it all that day; but the ordnance did no hurt to it, for the wall was at least twelve or thirteen foot thick, and both the castles were well

\* Carew MSS., Vol. I., p. 86.

† Id., p. 88.

warded with gunners, galloglasses, and horsemen, 'having made such fortifications of timber and hogsheads of earth, as the like had not been seen in this land.' They had one great piece of iron which shot bullets as great as a man's head. They had also a ship piece, a Portingall piece, hagbushes, and handguns. The deputy, perceiving that the ordnance did little hurt to the castle, and also that the shot was spent against the Sunday in the morning, caused each man of the army to make a faggot of a fathom in length, to fill that part of the water betwixt the land and the castle, and devised certain ladders to be made. He appointed certain of his own retinue, and a company of Master Seintlowe's to give the assault, which they executed hardily, and they scaled the bridge. The others escaped at the other end 'by footmanship;' and so they lost the bridge, the castles, their ordnance, and all else that was therein. The deputy has caused the castles and bridge to be broken down to the ground."\*

The expedition into Munster in 1536 failed of its expected results, by reason of a mutiny of the ill-paid troops, and had to be repeated in the following year; but the consequence of these two campaigns, or rather raids, was the submission of the southern Geraldines and the O'Briens.

In 1537 O'Connor, notwithstanding his late submission, was again in hostility with the deputy. The chief of this clan had, in imitation of his patrons, the Geraldines, proposed to maintain his territories by fortified castles. Although progressive in his views, he was several centuries behind his time, and the fate of Maynooth fell upon him also. On the 12th June, 1537, Alen reports to Cromwell: "My lord deputy proceeded on his journey into O'Chonour's country the Tuesday after Trinity Sunday, entering into the same on the west side, betwixt O'Mulmoy, M'Goghegan's, and O'Molaghlyn's countries, neighbours and aiders of the said O'Chonours, on which side of his country any host hath not passed with carts heretofore, by reason of the dangerous way, being all woods and marshes, did not only take them from his aid, but combined them to the king by their oaths and pledges. That done, my lord marched to a castle of the said traitorous O'Chonours,

\* Carew, Vol. I., p. 120.

called Braghnull, wherein there was left a good ward, well victualled, well ordnanced, and well manned, environed strongly with wood and moor. His lordship achieved the same, heading all the ward, all saving three, which were preserved to show his lordship the ways of another castle of the said O'Chonour's, that in the Irish tongue he named the castle of Dengin, that is, in English, the castle of most assurance, the same being so sure of itself and so strongly situated, advantaged that he cared for none power which should enterprise the winning thereof; and so came to the same, encamping a large half mile from it, for none nearer might the field come for the moor, nor had they no way to that but upon a causey, which my lord caused faggots to be made for the repairs thereof, and for the filling of great double ditches, so strong and so large have not been seen in this land heretofore; appointed my fellow Martin Pellis, captain of his 100 footmen, and a captain of Mr. Seintlowe's to defend the labourers. The ward came to their utter fastness and skirmished with them, hurt Mr. Seintlowe's captain in the arm with a handgun, killed divers of their men, yet right hardly Martin entered their fortress, brake open their gate, and won all their outward wards and strengths."\*

In the same month of June it is reported that of late the king's Castle of Athlone, which is a great garrison, standing in the midst of the land upon a passage betwixt Connaught and these parts, is obtained unto his Grace's possession from the usurpation of Irishmen who had kept the same from him and his progenitors for many years.† The recovery of this important post assured the command of Connaught; for the De Burgo lords, with, perhaps, a traditional feeling that they were Norman, were the most tractable of all the Irish chieftains.

Ulster as yet remained unassailed, and was, perhaps, unassailable by the slender forces which Lord L. Grey had at his command. The lords of this province, old allies of the Geraldines, themselves assumed the offensive, and enabled the English deputy to fight them at the utmost advantage. In 1539 negotiations were rife between the O'Neill, the King of Scotland, and the pope. In the

\* Carew MSS., Vol. I., p. 122.

† Id., p. 124.



spring of that year a plan was drawn up for a campaign in Ireland in combination with projected movements on the Continent. The Emperor and Francis were to invade England, the King of Scots was to cross over into Ulster, and to march on Dublin with the united forces of the North, the Geraldines were to rise in the Pale, O'Neill to proclaim himself king at Tara. The Irish friars and priests threw themselves into the struggle. "The friars and priests of all the Irishry did preach daily that every man ought for the salvation of his soul to fight and make war against the King's Majesty and his true subjects; and if any of them did die in the struggle, his soul that should so be dead should go to heaven, as the souls of St. Peter and St. Paul, which suffered death and martyrdom for God's sake."\* This scheme, like almost all those of the sixteenth century, came to nothing, each of the allied sovereigns probably desiring not to be the first engaged. The only ones of the confederates who got into movement were the Irish chiefs. Desmond and O'Connor made a demonstration merely; but the Ulster lords, men of very different metal from the southern allies, proposed to march upon Maynooth, raise the Geraldine vassals of the Pale, and effect a junction with Desmond. Lord L. Grey, with his usual promptitude, united all the forces of the Pale, and advanced to meet O'Neill. But already the invasion of the northern chiefs had been dwarfed down to the proportions of a plundering raid. Finding, probably, that his expected allies wholly failed him, and preferring the plunder of the Pale to martyrdom for the faith, O'Neill, after advancing to Tara, fell back towards Ulster, sweeping off the cattle and movables of the country. As he retired slowly, and encumbered with booty, Lord Leonard, supported by the whole force of the English colony, overtook his rear-guard at Bellahoe.† This battle, which broke for years the power of the Ulster chieftains, and was regarded by the English colonists as a crowning mercy, is told in its minutest details by the chronicles of the period:—

"The lord deputy in the meantime marched with the force of the Pale, the mayor and the citizens of Dublin, to Drogheda; from thence likewise, accompanied with the mayor and townsmen, he

\* "State Papers, Vol. II., Pt. 3, pp. 140, 141.

[† On the borders of the Counties of Meath and Monaghan.]

marched northward to Bellahoe, where O'Neill and his company on the further side of the water lay encamped with the spoil of the Pale.

“The deputy, by spies and secret messengers hereof certified, caused the army to travel the better part of the night, in so much as by the dawning of the day they were near the river side; where having escried the enemies—namely, Magannoshe, and the galloglasses that were placed there to keep the straits (for O'Neill, with the main army, lurked in a grove not far off), they began to set themselves in battle array, as men that were resolved with all haste and good speed to surprise the enemy with a sudden charge.

“At which time James Fleming, Baron of Slane (commonly called Black James), guarded with a round company, as well of horsemen as footmen, humbly besought the deputy to grant him that day the honour of the onset. Whereto when the Lord Grey had agreed, the Baron of Slane with cheerful countenance imparted the obtaining of his suit, as pleasant tidings, to Robert Halfepennie, who with his ancestors was standard-bearer to the house of Slane. But Halfepennie seeing the further side of the water so beset with armed galloglasses, as he took it, as likely an attempt to raze down the strongest fort in Ireland with a flip, as to rush through such quick iron walls, flatly answered the baron that he would rather disclaim in his office than there to give the onset, where there rested no hope of life, but an assured certainty of death; and therefore he was not as yet so weary of the world, as like an headlong hotspur voluntarily to run to his utter and undoubted destruction. Wherefore he besought his lordship to set his heart at rest, and not to impute his denial to bareness of courage, but to wariness of safety, although he knew none of any staid mind, but would sooner choose to sleep in a whole sheep his pelt, than to walk in a torn lion his skin—namely, when all hope of life was abandoned, and the certainty of death assuredly promised. The baron, with this answer at his wits' end, rode to Robert Betoa of Donneare, brake with him as touching Halfepennie his determination, and withal requested him (as he did tender his honour), now at a pinch to supply the room of that dastardly coward, as he did term him.

“Betoa to this answered, that although it stood with good reason, that such as heretofore tasted the sweet in peace, should

now be contented to sip of the sour in war; yet notwithstanding, rather than that the matter should to his honour lie in the dust, he promised to break through them, or else to lie in the water; and withal, being surpassingly mounted, for the baron gave him a choice horse, he took the standard, and with a sudden shout, having with him in the fore-rank Mabe of Mabestown (who at the first brunt was slain), he flung into the water, and charged the Irish that stood on the further shore. After followed the gentlemen and yeomen of the Pale, that with as great manhood charged the enemies, as the enemies with courage resisted their assault. To this stoutness were the enemies more boldly pricked, in that they had the advantage of the shore, and the gentlemen of the Pale were constrained to bicker in the water. But the longer the Irish continued, the more they were disadvantaged, by reason that the English were so assisted with fresh supplies, as their enemies could not any longer withstand them, but were compelled to bear back, to forsake the band, and to give the army free passage. The English, taking heart upon their faintness, brake through the gallow-glasses, slew Maggannouse their captain, pursued O'Neill with the remnant of his lords, leaving behind them for lack of safe carriage the spoil of the Pale, scantily able to escape with his own life, being eagerly pursued by the army until it was sunset. In this conflict Matthew King, Patrick Barnewall of Kilmalyocke, Sir Edward Basnet, priest, who after became Dean of St. Patrick's in Dublin, and was sworn one of the Privy Council, and Thomas Fitzsimons, of Corduffe, were reported to have served very valiantly. Moreover James Fitzsimons, Mayor of Dublin, Michael Cursey, Mayor of Drogheda, Gerald Ailmer, Chief Justice, and Thomas Talbot of Malahide, were dubbed knights in the field. But of all others the Lord Grey, their lord deputy, as he was in authority superior to them all, so in courage and manliness he was inferior to none. He was noted by the army to have endured great toil and pain before the skirmish, by posting bareheaded from one band to another, debating the strength of the enemies, enhancing the power of the Pale, depressing the revolt of rebellious traitors, extolling the good quarrel of loyal subjects, offering large rewards, which with as great constancy he performed, as with liberality he promised; over this he bare himself so affable to soldiers, in using



them like friends and fellows, and terming them with courteous names, and moving laughter with pleasant conceits, as they were incensed as well for the love of the person, as for the hatred of the enemy, with resolute minds to bicker with the Irish. In which conflict the deputy was as forward as the most, and bequit himself as valiant a servitor as the best.”\*

The result of Lord Leonard Grey’s activity in the field may be estimated by a comparison of the state of Ireland in 1535 and 1542. In the former of these years the English power seemed to have perished in Ireland. Skeffington on his arrival could scarcely credit the report that the city of Dublin still held out for the king. At the later date the Geraldine faction had been annihilated; the king’s supremacy in the Church had been confirmed by Act of Parliament; every part of the island, excepting Ulster, had been traversed by English troops; the Ulster lords were stunned by the defeat of Bellahoe; the lords, both Celtic and Norman, had again submitted to the king; and a parliament was assembled in Dublin, attended by all the Celtic chiefs of note, which was employed in passing statutes utterly to confiscate the remaining monasteries, and to proclaim Henry VIII. King of Ireland, by a title irrespective of any papal donation. Lord Leonard Grey was doubtless guilty of many faults of temper, and lack of prudence and discretion; he failed to understand his position as an official of the Tudor Government; yet undoubtedly, notwithstanding the slanders heaped upon him by the spies and minions who surrounded him, it was to his vigour and abilities the English Government owed the restoration of their influence and authority in Ireland.† His energy is rather to be measured by the slenderness of his means than the greatness of the difficulties he had to encounter. When he entered Munster, in 1536, he had only 700 English, horse and foot, with 323 Irish levies under his own command, and was supported by the Butlers only with 361 horse and 920 foot; yet, small as his forces were, he

\* Holingshed, *sub anno*; see Shirley’s “Account of Farney,” p. 37.

[† On his return to England, he was accused of treason for some of his acts in Ireland, mainly faults of temper and judgment, but some showing a certain amount of pity, if not partiality, for the Geraldine house, with which he was connected by marriage. The result was the invariable one under Henry VIII. He was convicted, and beheaded in 1541.]

was wholly unprovided with means to pay them. He was the first deputy who understood the effect, moral rather than physical, of small forces, supported by proper artillery, moving, according to military *parlance*, as flying columns. But the plan of hostilities which he first introduced, though effectual to strike down resistance, was not adapted for the retention of the conquest; and subsequent deputies who persevered in these military promenades, wasted men and money, without adequate result, until at last Lord Mountjoy completed the conquest of the country, by adopting the most opposite system of warfare.

Henry VIII. had conquered, or believed that he had conquered, Ireland. He had now to decide upon the policy to be adopted towards this country. It was universally felt that decisive steps of some sort must be taken—the old system of *laissez-faire* be abandoned, and the English king, as he claimed the title, perform the function of the sovereign. As he ruled the kingdom of England, so should he rule the kingdom of Ireland, by law, either universally acknowledged or universally enforced. With the design of establishing the King of England as a king in Ireland, all the English agreed in desiring to effect three objects, viz.: (1) that the King of England should be recognised as king in Ireland by a title independent of, and overriding that founded upon the papal donation; (2) the equalisation of the receipts and expenditure of the Irish exchequer; and (3) the assimilation of the laws and customs of Ireland to those of England.

It was notorious that the title of the English king was founded upon a papal donation; his right to the sovereignty had been repeatedly confirmed by the papal court, ever England's firm ally in the hour of danger; the parts of Ireland in which no English king's writ ran were, in the words of the legates' reports, "In temporalities within the dominion of the King of England." But, if the pope had given, could not he also take away? As the Crown of Naples, might not the lordship of Ireland be reft by a Bull from an excommunicated heretic, and then transferred to any orthodox prince who could at once avenge the Church and gratify his own ambition? By the title by which the house of Anjou expelled the Hohenstauffen from Southern Italy, might not the King of France or Spain assume the sovereignty of

Ireland? It is manifest from the State Papers of the time that these ideas were rife among the more zealous Irish Catholics. They asked themselves—Can a king who rules by papal gift, whose ancestor obtained the lordship of the island upon an express undertaking of “widening the boundaries of the Church, explaining the true Christian faith to ignorant and barbarous tribes, and exterminating the nurseries of vice from the Lord’s inheritance”—can he, having become the arch-heretic and enemy of the Church—can he, the notorious persecutor of the saints and a public adulterer, any longer claim our allegiance? If the king’s title had been rested solely on the papal gift, it had been difficult to reply to this question; but the papal gift would be no longer put forward by the king as the basis of his title: he could only logically treat it as “one of the usurpations of the supposed bishops of Rome.” If so, on what title or by what authority was he to require the obedience not merely of the vassals of the Pale, but of chiefs whose ancestors for generations had systematically derided the pretended rights and baffled the efforts of his predecessors? He might have simply claimed the right to rule from the fact of his being the strongest, and as the only one capable of so doing. It would, however, ill suit one who had executed the Geraldines as traitors, to found his claim upon the fact of his late success; he had to discover a title anterior to the papal grant, and to induce the whole population of the island, or at least a representative portion of them, to acquiesce in the validity of his claim. For the attainment of this first object the absolute conquest or conciliation of the Celtic population was an indispensable preliminary.

To exercise any influence over the natives of the island, none of whom felt the inbred loyalty of his English subjects, it was necessary to maintain a viceroy and standing force in Dublin. Without their presence, even the tradition of England’s suzerainty in a few years would perish. They could not remain there without regular pay and supplies, which Ireland at that time could not furnish. The suppression of the Geraldine revolt had cost £40,000, more than ten years’ revenues of the Crown in Ireland. The Parliament, nominally of Ireland, but really of the Pale, had been applied to for contribution towards this expenditure. In 1535 the king writes to the Irish Parliament—“A certain motion was made



to you in the last session for a benevolence to be granted to us by you, our subjects, of our lay fees within Ireland, but you made a certain argument and stay therein. We doubt not but you do all consider what importable charges we have been at lately for your defences, and that you would, though none instance were made to you, devise how to gratify us with some recompense, and to condescend to such an augmentation of our revenues there as might be able to defend you from the violence of all traitors and rebels. It shall be much to our contentation if you lovingly grow to some resolute point in the grant of the said benevolence, which we desire not for any notable gain, but for that we have such a zeal to reduce that land to a perfect conformity, that we would have some convenient furniture of yearly revenues there. We therefore desire you so to proceed in this matter, that we may have cause to think you have the stomachs of faithful subjects.”\*

Those to whom such demands were addressed were the inhabitants of the Pale—taxed, cessed, blackrented, and plundered beyond measure; and it is not to be wondered that the constant reply of the Irish Council was that they could bear no more than the burden already laid upon them. How little could be extracted from the spirituality or temporality appears by the return of the revenue for 1542, which shows that the twentieth part of the spirituality yielded £287 2s. 1½d., and the king’s subsidy, spiritual and temporal, per annum produced £563 8s. 3d.† An active policy required the devotion of a large proportion of the English revenues to Irish purposes, or the resumption into the king’s hands of such large estates in Ireland as would afford him an increased and sufficient income; for the financiers of this period, scarcely alluding to the possible increase of customs (then amounting to more than £319 13s. 4d.), based all their calculations of an augmented revenue upon an anticipated increase of the rent of demesne lands. How was such an increase of Crown rent to be obtained—whether from tributes or head-rents of the then occupiers, or by rents to be paid by new English colonists to be planted in their room?

\* Carew MSS., Vol. I., p. 83.

† Id., p. 201.

As to the third point, the Anglicising of Ireland, there was no division of opinion. The English statesman considered the English Common Law, the English land tenure, the English language, mode of life, and costume, the most excellent and admirable. They might borrow their fashions from Paris, or their literature from Italy—such weaknesses they might be guilty of in the case of Continental nations—but, as for the barbarous natives of a western island, their language, laws, customs, and attire were at once declared hateful and damnable. Peace, religion, loyalty, or civility could not exist in Ireland until the whole religious and social state of the country had been completely changed from the Celtic into the English mode. There was to be in Ireland a viceroy, a feeble reflection of the English sovereign, only somewhat more arbitrary and unchecked by law; there was to be an Irish Parliament like that at Westminster, ever ready to grant subsidies at the Crown's demand, but emasculated and deprived of all initiative by Poynings' Act; there were to be English judges sitting in Dublin, and going on circuit in the counties, who were to administer a half-military justice; there were to be sheriffs, justices of the peace, and county officers of more fervent loyalty than independence; and finally, the whole population were to speak, dress, and shave after the English fashion. From the Irish point of view this policy would have been thus described—that it required nobles and chiefs who had enjoyed an independence—ill regulated, indeed, and therefore, perhaps, the more cherished—to submit themselves to the caprices of a deputy and the exactions of the Council at Dublin; and, as a reward for this, to be permitted to play the part of puppet lords in a phantom parliament; that the population should abandon their customary laws, and submit themselves to a system of law which must have seemed, and really was, little better than a mystery of technicalities—by this regulate their rights, and social and commercial relations, forget the language of their fathers, and learn a foreign and hated tongue; throw off their native dress and attire, and assume one unsuited to their climate and mode of life; banish their minstrels, forget their national poetry and music, forego all their cherished local traditions, and sink down into loyal subjects of the English king, payers of taxes, payers of rent, earth-workers, mere "Saxon" serfs.

For carrying out the above objects, two distinct plans were proposed :—First, the plantation of the entire island by England, which involved the expulsion or destruction of the chiefs—Celtic or Hibernicised Normans—with their retainers, and semi-military followers, and the substitution for them of English colonists as the landlords of the agricultural portion of the population, and also the introduction of large numbers of English freeholders. Secondly, the establishment of relations of friendship, by treaties or otherwise, with the several chiefs, who might be induced to pay head-rents and certain services in consideration of being acknowledged in their possessions, and guaranteed by the Government upon receiving grants from the English Crown ; they were to be decorated with English titles, induced to sit as lords in parliament, conciliated by gifts, and thus won over to loyalty and English habits ; it was expected that the chiefs would gradually draw their retainers after them, and would ultimately develop into English lords and landholders ; it was even admitted that in the meanwhile considerable liberty might be given to the use of native laws and customs. The argument for the former plan was that it was an effectual and thorough policy, and, if once carried out, promised permanent tranquillity and a large revenue. The obvious argument against it was that it required a prodigious expenditure of blood and money, for which the English Government was wholly unprepared ; that, if it was once embarked in, it must be carried through, otherwise matters would be worse than before ; the bloodshed, injustice, and suffering involved in such a project would not, of course, strike statesmen of the sixteenth century. The argument for the second plan was, that it did not require any large immediate outlay of money, and promised, by a process slow, yet sure, to bring about the desired result ; that it was a reasonable, and not a heroic remedy. The obvious objection to this plan was, that it demanded a large annual expenditure to be continued over an indefinite number of years, and especially required on the part of the Dublin executive an amount of tact, moderation, and purity, which they never exhibited. The radical error in both schemes, which was not at the time perceived, was the assumption that the chiefs and their retainers, not the mass of the population, formed the strength of the native party ; and the hope that upon the destruction or



conversion of the upper class, the body of the several tribes would accept any institutions, language, or dress, which the Government desired to impose upon them. The former plan was that of the Irish Council—the latter, that of the king himself. The views of both parties are very fairly developed in the State Papers.

In the autumn of 1520, Henry writes to Surrey, the then deputy:—

“And, inasmuch as the charge and enterprise to you committed is this forth advanced; that O’Neil, and the other Irish captains, be not only come in, and according to their natural duty of liegance, have recognised us as their sovereign lord, but also have obliged them unto you, for their fidelities towards us. We and our council think and surely believe, that in case circumspect and politic ways be used, ye shall not only bring them to further obedience, for the observance of our laws, and governing themselves according to the same, but also, following justice, to forbear to detain rebelliously such lands and dominions as to us in right appertaineth; which thing must as yet rather be practised by sober ways, politic drifts, and amiable persuasions, founded in law and reason, than by rigorous dealing, comminations, or other inforcement by strength or violence. And, to be plain unto you, to spend so much money for the reduction of that land, to bring the Irishry in appearance only of obeisance, without that they should observe our laws, and resort to our courts for justice, and restore such dominions as they unlawfully detain from us; it were a thing of little policy, less advantage, and least effect. Wherefore we think right expedient, that at such assemblies and common councils, when ye shall call the lords and other captains of that our land before you, as of good congruence, ye must needs so do, ye, after and among other overtures, by your wisdoms then to be made, should declare unto them the great decay, ruin, and desolation of that commodious and fertile land, for lack of politic governance and good justice, which can never be brought in good order, unless the unbridled sensualities of insolent folks be brought under the rules of the laws. For realms without justice be but tyrannies and robberies, more consonant to beastly appetites, than to the laudable life of reasonable creatures. And whereas influence doth reign by strength, without law or justice, there is no distinction of

propriety in dominions, nor yet any man may say, this is mine ; but by strength the weaker is subdued and oppressed, which is contrary to all laws both of God and man. And it may be said unto them, in good manner, that like as We, being their Sovereign Lord and Prince, though of our absolute power We be above the laws, yet We will in no wise take anything from them, that righteously appertaineth to them ; so, of good congruence, they be bound, both by law, fidelity, and liegance, to restore unto Us our own. For it so much toucheth our honour to conserve our rightful inheritance, that We neither may nor will suffer any prince, of whatsoever pre-eminence he be, to usurp or detain any part thereof, but by our puissance, to repress such usurpation and detention accordingly. And much more it seemeth to our dishonour to permit and suffer our own subjects to detain violently any part of lands to us righteously appertaining. Endeavouring yourselves by these and other persuasions, as ye shall think good, to cause them to know the ways of justice, whereby they shall be the rather moved, not only to incline thereto, but also to leave such unlawful and sensual demeanours as they have hitherto used.

“ Howbeit our mind is not that ye shall impress on them by fearful words that we intend to expel them from their lands and dominions, lawfully possessed, but to conserve them in their own, and to use their advice, aid, and assistance, as of faithful subjects, to recover our rightful inheritance ; nor yet that we be minded to constrain them precisely to observe our laws, ministered by our justices there, but under good manner to show unto them, that of necessity it is requisite that every reasonable creature be governed by a law. And, therefore, if they shall allege that our laws, there used, be too extreme and rigorous, and that it should be very hard for them to observe the same ; then you may further ensearch of them, under what manner, and by what laws, they will be ordered and governed ; to the intent that, if their laws be good and reasonable, they may be approved, and the rigour of our laws, if they shall think them too hard, be mitigate, and brought to such moderation, as they may conveniently live under the same. By which means ye shall finally induce them, of necessity, to conform their order of living to the observance of some reasonable law, and not to live at will, as they have used heretofore. And if by these

and semblable drifts an entry might be made, that part of our lands detained by usurpation might be reduced to our possession, either of the earldom of Ulcestre, whereunto, as ye write, O'Nele hath promised his assistance, or of any other, which notoriously appertaineth unto us, it might be the mean that successively, and from time to time, not only the residue to us belonging should be recovered, but also such lands as by force be detained from all other lords may be brought to their pristinate state; which is the best and most speedy way to bring that land in good order and obeisance, and to cause the same to be inhabited and manured, considering that every lord, having his own, should not only be liable to live there honorably, and to subdue tyranny, but also would see their lands inhabited, tilled, and laboured for their most advantage. Howbeit, this matter must be politically, patiently, and secretly handled; and so to proceed therein, that the Irish lords conceive no jealousy or suspicion that they shall be constrained precisely to live under our laws, or put from all the lands by them now detained: remitting, therefore, the politic ordering of those matters to your wisdom, to whom the experience and drifts of that land be better known than to us."\*

On the 16th December, 1520, Surrey insists that Ireland must be conquered.—“Most humbly beseeching your Grace, that if the king's pleasure be not to go through with the conquest of this land, which would be a marvellous charge, no longer to suffer me to waste his Grace's treasure here. Whereof shall no better effect come, than to keep this land in peace, if I may so do, which neither shall be to his Grace honourable nor profitable; and to me, his poor well-willed servant, to do his Grace good service, shall ensure not only reproach and shame, to spend his Grace so much money in vain, but also I shall be undone thereby.”†

As to the military expenditure in Ireland, the instructions to Sir John Petchie, in 1521, state:—“For remembering the charges now by the king sustained, in the entertainment of his said lieutenant there, with the captains and retinue under him, amounting to a right great sum, to him well known, if his Highness should

\* State Papers, Henry VIII., Vol. II., Part 3, p. 52.

† State Papers, Henry VIII., Vol. II., Part 3, p. 62.



augment that army, and send thither 300 horsemen and 500 footmen, as the said Sir John Walop hath now required, it is by due trial esteemed that the king's charges, as well for the entertainment of the old army, and the new, to be prepared only for the defence of that land, counting the rewards of captains' wages, conduct money, artillery transporting over, with other extraordinary charges, should yearly amount, at the least, to £16,000 or £17,000. And to say that the King's Highness, by calling of a parliament in this hard and dear year, could have any prompt or ready grant of any convenient subsidy or contribution, to be given by his subjects towards his charges, it is not possible. For remembering the poverty of the people in every condition, being decayed and in necessity, by reason of this scarcity, though they were benevolently united forthwith to grant such a subsidy to the King's Grace, yet it could not be levied within three years, at the least, till such time as God, of His goodness, by more fertile and plenteous years, shall relieve their indigence and poverty; like as it is notoriously known. And what intolerable charge should it be to the King's Highness to maintain such a costly army in Ireland, by the space of three years, amounting yearly, by estimation, to the sum of £16,000 or £17,000, only for the defence of the four shires, the king doubteth not, but his said lieutenant, by his wisdom and great experience, can well consider."\*

Surrey still insisted that the conquest of the island was the only practical plan, writing to the king on the 30th June, 1521:—"After my poor opinion, this land shall never be brought to good order and due subjection, but only by conquest; which is, at your Grace's pleasure, to be brought to pass in two ways. One way is, if your Grace will one year set on hand to win one country, and another year another country, and so continue, till at length all be won."

"After mine opinion, the least number that your Grace must occupy can be no less than 2500; for it is not to be doubted that whensoever the Irishmen shall know that your Grace intendeth a conquest, they will all combine together, and withstand the same to the best of their power. And over and above their own power,

\* State Papers, Henry VIII., Vol. II., Part 3, p. 67.

undoubtedly they may have three or four thousand Irish Skottes, whensoever and as often as they will call for them; and they be not distant from the north parts of this land four hours' sailing. Also, I think the Earl of Argyle and divers others, of those we call English Skottes, will come if they be desired."

"And if your Grace will, in more brief time, have your purpose brought to pass, and to set upon the conquest in divers places, at one time; then, after my poor opinion, 6000 men is the least number that your Grace must occupy. But to advertise your Grace, in how many years either the one number or the other should accomplish and perfect the conquest, the matter is so high and uncertain, that I dare not meddle therewith. Undoubtedly this land is five times as much as Wales; and when King Edward the First set on hand to conquer the same, it cost him ten years, or he won it all. Wherefore, considering the long time he was in conquering the same, and for the most part being present in his own person, and no sea being between England and Wales, as is between England and this land, I fear, and cannot believe it will be so soon won as Wales was. For, undoubtedly the countries here be as strong or stronger as Wales, and the inhabitants of the same can and do live more hardly than any other people, after mine opinions, in Christendom or Turkey."\*

The State Papers of the Tudors are full of plans and devices for the conquest of the natives, more or less thorough. In 1536 Alen writes to the king: "It might be gathered hereupon that my meaning is here, that your Grace should banish all the wild Irish out of their lands. Although I would it were so, yet that is not mine intent; for I do not doubt but the inhabitants of their lands might be made good subjects, the heads being subdued; and if they might be all banished, I think it were not a little difficulty to inhabit the land again."

"Peradventure it might be thought that my intent were then to have your Majesty to subdue and reform all the Irishry. Albeit that I think it might be done with much less difficulty than the expulsion of them, yet that is not my meaning; for, as I suppose that desire in your noble progenitors to reform all Ireland at one

\* State Papers, Henry VIII., Vol. II., Part 3, p. 73.

instant hath been the occasion that it is so far out of order and frame as it is; for, as I have learned, these 250 years together the same hath decayed, from time to time, always differing, and expecting time to reform all, whereby the land hath so decayed, from one time to another, that ever, either for other untoward business of your realm of England, for lack of preparation, or some other thing, time never served. Wherefore my simple advice shall be to your Grace, not to defer the reformation of one part of the Irishry, under hope and expectation to have time to reform all; for, whosoever the time shall serve, I think the change would be a marvellous thing. But first, not expecting time for that purpose, devise to make such stay, that what chance soever should hap, ye might keep that ye have already, without exhausting of your treasure, if all the residue of Ireland would say the contrary.”\*

Mr. Cowley thought that by a vigorous campaign, burning and starvation, the entire island might be at once subdued. His device was as follows:—“The very living of the Irishry doth clearly consist in two things, and take away the same from them, and they are past for ever to recover, or yet noy [annoy] any subject in Ireland. Take first from them their cows, and as much as cannot be husbanded and had into the hands of such as shall dwell and inhabit in their lands and country, to brenne and destroy the same, so as the Irishry shall not live thereupon; then to have their cattle and beasts, which should be most hardest to come by; for they shall be in woods, and yet with guides and policy they be oft had and taken in Ireland this day. And again, by the reason that the several armies, as I devised in my said other book, should proceed at once, it is not possible for the same Irishry to put or flee their cattle from one country unto another, but that one of the armies, with their guides and assistors, by hap, policy, espial, or some other mean, shall come thereby. And, admitting the impossibility that their cattle were saved, yet in continuance of one year the same cattle shall be dead, destroyed, stolen, strayed, and eaten; for, by the reason of the continual removing of them, going from one wood to another, as they shall be forced to do, their lying out all the winter, and [their] barren pastures, they shall be stolen, lost,

\* State Papers, Henry VIII., Vol. II., Part 3, p. 373.



strayed, and dead. And most of all, when all the great number of the Irishry, so being in exile, being together with their tenants and sequel, [by] taking their corn and other victual, [they] shall have no manner sustenance, but alonely the residue of the same cattle, if there shall be any; whereby their said cattle must in short time be consumed, and then they shall be without corn, victual, or cattle, and thereof shall ensue the putting in effect of all these wars against them.”\*

During the reign of Henry VIII., notwithstanding the perpetual books, devices, and plots for the general conquest of the wild Irishry, the policy of conciliation was adopted. In this choice of policy Henry VIII. must fairly get credit for the views expressed in his letter of the autumn of 1520. It was, upon the whole, steadily pursued during his reign. It was, during the three succeeding reigns, what might be called the orthodox mode of treating the Irish population; but in one instance after another it was departed from—in the plantation of the O'Connor and O'More country, the present King's and Queen's Counties; the attempted colonisation of the east of Ulster by the Smiths, the Earl of Essex, and others; the plantation of the Desmond estates. In the reign of James I., upon the celebrated flight of the Earls in 1607, the opposite course of policy came into favour. The plantation system was the sole policy adopted then for the government of Ireland—plantations which were supposed to have been a success, as that of Ulster—plantations which were not successful, as those attempted in other parts of Ireland—both involving much injustice and suffering, in proportion probably to which was their success.

To understand the government of Ireland in the sixteenth century, these two distinct courses of policy, wholly incompatible with each other, must be distinguished, and the result of each attributed to its proper cause. Neither can be considered a success. The policy of conciliation broke down chiefly from the conduct and character of the Irish Government. The thorough policy of plantation was consistently carried out, and ended in the insurrection of 1641.

In 1537, after the defeat of the Geraldines, a parliament was

\* Carew MSS., Vol. II., p. lix.

held in Dublin by Lord L. Grey. This may be considered as the last colonists' or Pale parliament held by an English viceroy in Ireland.\* On this occasion there were passed the Acts establishing the royal supremacy in matter of religion and dissolving certain of the Irish monasteries, which will form the subject of consideration in the next chapter. These Acts required to support them an assertion that the king's title was independent of papal grant, and the Act of the Royal Supremacy contained an ambiguous recital, "that the land of Ireland is depending and belonging justly and rightfully to the imperial crown of England." It was felt by the Government that for the purpose of procuring an Act declaratory of the King of England's right to the Irish crown, an assembly which at least bore the semblance of a national parliament was requisite. For extension of the royal demesnes, and increase of revenue, two Acts were passed—the 28th Henry VIII., chapter 1, for the attainder of the Earl of Kildare and his partisans, and the Act of Absentees, the 28th Henry VIII., chapter 3. By the former Act the estates of the late Earl and the several parties specified in the fourth section, were forfeited to, and vested in, the king. The *legality* (if such a term is applicable) of the Tudor Government is remarkably shown by the formality of the Act, and the extreme care taken to protect the interests of innocent third parties. Not more than eighteen persons are named in this Act. Both the form in which it is drawn, and the number of persons affected by it, are a striking contrast to many subsequent Acts of Attainder, especially the Act of Attainder of James the Second's Parliament. The contrast is the more remarkable if it be remembered that the former was passed after, and the latter before, a civil

\* The local character of this parliament is clearly shown by the Act of 28th Henry VIII., chapter 11, restraining tribute paid to Irishmen—which reciting "forasmuch as our sovereign lord the king, having respect to the poverty of his poor subjects, hath sent his army royal hither for the exonerating of his Grace's said subjects; whereby his Grace's said subjects are highly animated and fortified, and the said Irish enemy greatly enfeebled, so as nothing lieth in them to do for having any such tribute," enacts that the Irish shall not have tribute, and the king's subjects shall be exonerated therefrom, but does not attempt to enact any penalty against the Irish for the violation of the Act.

war. This Act, from which much was expected, produced little effect. The destruction of the power of the Earls of Kildare, instead of introducing a regular government into their estates, left the inhabitants without any protection whatsoever. During the rebellion, the Butlers had taken ample revenge upon the house of Kildare. Six of the eight baronies had been destroyed in the county of Kildare alone—the inhabitants harassed beyond measure. They are described as impossible to deal with, from their dread of the royal officials; yet, notwithstanding their suffering and alarms, they cherished a strange allegiance to the fugitive child, then the sole representative of their ancient lords—a feeling shared by many of the English dwellers in the Pale: “I assure your lordship that this English Pale, except the towns and some few of the possessors, be so affectionate to the Geraldines, that for kindred, marriage, fostering, and adhering as followers, they covet more to see a Geraldine to reign and triumph than to see God come among them; and if they might see this young Girot’s banner displayed—if they should lose half their substance, they would rejoice more at the same, than otherwise to gain great good.”\* The king had further a disinclination to grant the lands for other than short and unsatisfactory leases. Under these circumstances, it may be anticipated that the king’s revenue was not much profited by this forfeiture.

The difficulty of extracting any revenue for these forfeited estates is shown in the letter of the deputy and council of the king, 20th April, 1537:—

“Though the extent of your revenues amounteth to the sum of £5,000 yearly, a great part of that came in but lately by the grant of this parliament. And further, albeit that the extent is £5,000 and above yearly, yet having now examined the Treasurer and Barons of your Exchequer how they be paid, they have informed us that a £1,000 by the year is waste, not leviabie ne paid, forasmuch of your revenues as appertaineth to the Earl of Kildare, in the county of Limerick, your Grace hath nothing of it, nor shall not have, until the pretended Earl of Desmond be at some point; of whose offers I, your Grace’s deputy, have at several times advertised

\* Cowley to Cromwell, 8th Sept., 1538. Carew MSS., Vol. II., p. lxviii.



you and your council, to the intent I might know your pleasure therein, whereof hitherto I have not been advertised. The promise was, that by May day he should have had his pardon for him and his brethren under your Great Seal of England. If he shall see no answer made unto him, he will be in more fear and suspicion than he was before, especially now upon the death of the other Geraldines."

"Besides this, many parcels of your manors be desolate and waste, whereof hitherto your revenues hath not been paid by reason that Thomas Fitzgerald, his uncles, and complices, first so oppressed them, and after the arrival of your army for the expugnation of the same rebels, your deputy and army burnt, robbed, and destroyed the inhabitants of divers parcels of them, whereby the tenants were exiled. And afterwards your deputy, by [your] Grace's advertisement, distrusting to commit the custody of divers of the March garrisons to any of [t]his land's birth, but being in the guard of divers of your army, whatsoever more by that occasion was wasted, there was little inhabited; trusting that there will be few wastes after this year, if your Grace ensue our devices in two points."

"One is, no man in this country will manure and inhabit your ne any other man's lands, especially to any fruitful purpose, unless he may have a security of continuance therein, so as when he hath edified the same he shall not be expelled from it."

"Another cause there is, which hath been the chief cause of the continuance of these wastes, and shall be the occasion of more wastes, if it be not remedied immediately. The inhabitants of the county of Kildare and other wheres where most of your Grace's lands be, were most principal offenders in this rebellion; whereby they be in such fear (especially now since the execution of the Geraldines) as they dare not trust to abide in the country, but wandering about, so as the possessioners there endeavour not themselves to inhabit and manure their own lands, fearing more the loss of their lives than the decay of their goods and their lands; and therefore out of hand it were good they had their pardons, as we have divers times moved ere now, for the which they would gladly fine; which, if it were done, many of your waste lands would be taken to farm at this May."\*

Whatever course, whether complete conquest or conciliation, Henry had selected to adopt, he could not have failed to have been embarrassed by the claims of numerous English families to estates in Ireland, from which they had been expelled by the king's Irish enemies. To obviate this difficulty, the Act of Absentees, the 28th Henry VIII., chapter 3, was passed, for the purpose of extinguishing such stale claims, and vesting all such properties in the king. The preamble expresses so clearly the views of the English Government of the sixteenth century, as to the object and conditions of grants of land in Ireland, that no apology is needed for citing it at length.

“Forasmuch as it is notorious and manifest, that this the king's land of Ireland, heretofore being inhabited and in due obedience and subjection unto the king's most noble progenitors, kings of England, who in those days, in the right of the Crown of England, had great possessions, rents, and profits within the same land, had principally grown into ruin, desolation, rebellion, and decay, by occasion that great dominions, lands, and possessions within the same land as well by the king's grants as by the course of inheritance and otherwise descended to noblemen of the realm of England, and especially the lands and dominions of the earldoms in Ulster and Leinster, who having the same, both they and their heirs by process of time, demouring within the said realm of England, and not providing for the good order and surety of the same their possessions there, in their absence and by their negligences suffered those of the wild Irishry, being mortal and natural enemies to the kings of England and English dominion, to enter and hold the same without resistance, the conquest and winning thereof in the beginning not only cost the king's said noble progenitors charges inestimable, but also those to whom the said land was given, then and many years after abiding within the said land, nobly and valiantly defended the same against all the king's said enemies, and also kept the same in such tranquillity and good order, as the kings of England had due subjection of the inhabitants there, the laws obeyed, and of their revenues and regality were duly answered, as in any other where within the realm of England; and after the gift or descent of the said lands, possessions, and dominions, to the persons aforesaid, they and their heirs

absented themselves out of the said land of Ireland, demouring within the realm of England, not pondering ne regarding the preservation thereof, the towns, castles, and garrisons appertaining unto them, fell in ruin and decay, and the English inhabitants there in default of defence and justice, and by compulsion of those of the Irishry were exiled, whereby the king's said progenitors lost as well their dominion and subjection there, as also all their revenues and profits, and their said enemies by readopting or attaining the said lands, dominions, and possessions, were elevated into great dominion, power, strength, and puissance, for the suppressing of the residue of the king's subjects of this land, which they daily ever sith have attempted, whereby they from time to time usurped and encroached upon the king's dominion, which hath been the principal cause of the miserable estate, wherein it is at this present time; and those lands and dominions, by negligence, and in default of the very inheritors after this manner lost, may be good ensample to the king's Majesty now being, intending the reformation of the said land, to foresee and prevent, that the like shall not ensue hereafter."\*

This Act, which was restricted in its operation by exceptions and provisions in favour of third parties, can scarcely be considered as increasing the royal demesnes; it did little more than set the king free to negotiate with the chiefs, whose tribes had been for generations in possession of these lands. The only substantial increase of the king's revenues by any Act of this parliament rose from the enactments relative to the property and endowments of the Church, which the parliament, acting upon the principles of the ordinance for the Government of 1534, had no scruple in taxing.

Lord L. Grey, taking advantage of the alarm produced by the destruction of the Geraldines and his other successes, proceeded to negotiate with the various chiefs, Celtic and degenerate Norman, with the object of obtaining their acknowledgment of the king's sovereignty, and establishing some definite relations between them and the Government. The general effect of these indentures was

[\* This Act, as may be seen from the preamble given above, was really in the nature of a Statute of Limitation. It was not directed against absenteeism in the modern sense, where rents are received by a non-resident landlord.]



to leave the chief unrestricted in the exercise of his authority over his clan, but to restrain him from levying black rent from the king's immediate subjects, and to induce him to render a fixed and definite service to the Crown, in consideration of which he was frequently expressly guaranteed the possession of the lands which he then occupied. One of the earliest and simplest is the indenture of the 18th September, 1536, between the deputy and Fergananym Rowe O'Byrne, which contains merely the following stipulations:—

(1.) "O'Byrne will be a faithful subject to the king.

(2.) "As often as the lord deputy, or any captain by him appointed, in the parts adjoining the said Fergananym, shall take a journey to suppress or invade the king's enemies, he will serve with all his followers at his own expense; and he will not maintain any rebels.

(3.) "He will pay to the king 4d. a year each for his horses, mares, draft horses (*caballis*), cows, oxen, and bulls, in the towns of Ballyhoursy, Cowlythe, Drommor, and Kilparke.

(4.) "The lord deputy will protect and defend Fergananym and all his tenants and servants against all men, as well English as Irish."\*

Almost all the Irish chiefs entered into engagements of this description. A list dated the 2nd January, 1540, contains twenty-seven such indentures, which included the O'Byrne, O'Brian, O'Connor, O'Flaherty, De Burgh, O'Neill, M'Mahon, and others.

The State Papers of the following years are full of similar documents. In 1542 there are submissions or indentures of O'Donnell, O'Neill, M'Mahon, O'Connor, O'Brien, O'More, Maguire, M'Donnell, O'Byrne, O'Rourke, the De Barries, &c. The indenture of O'Donnell may be taken as a specimen of those made with the greater chiefs; O'Donnell promised as follows:—

(1.) "He will recognise and accept the king as his liege lord and king.

(2.) "He will not confederate with the rebels of the king, but persecute them to the utmost of his power.

(3.) "He will renounce the usurped primacy and authority of the Roman pontiff.

(4.) “Whenever he shall be called upon by letters of the lord deputy and council to come to any great hosting, he will come in his own person, with 70 horsemen, 120 kerne (*turbarii*), and as many Scots, or send one of his most powerful men with the same number, for one month at his own expense.

(5.) “He will appear in the next great parliament in Ireland, or send to the same some discreet and trusty person authorised by his writing, sealed with his seal.

(6.) “He will faithfully perform the articles contained in the king’s letters sent to him at the time of his receiving pardon.

(7.) “He will receive and hold his lands from the king, and take such title as the king shall give him.”

(8.) He offers to send one of his sons into England, to the presence of his Majesty, to be there reared and educated according to English manners.

(9.) The lord deputy and council promise to assist and defend O’Donnell and his heirs against all who injure him or invade his country.\*

Treaties were entered into with all and any willing to submit to the king, of which the following is a remarkable instance :—

“Indenture, 24th May, 34th Henry VIII., between Sir Anthony Sentleger, lord deputy, and the council, and Hugh O’Kelly, Abbot of Knockemoy, otherwise called ‘*Collis Victoriæ*,’ Tuam diocese. The said Hugh, abbot or perpetual commendatory of the said late monastery, appearing before the lord deputy and council, submitted himself to the king, and surrendered the said monastery with all its possessions. He recognises his Majesty to be his supreme lord and king, and promises to serve him against all men. He promises to renounce the Roman pontiff, to assist the lord deputy whenever he shall make an expedition into Connaught with eighty horsemen, one band of Scots, and sixty kerne (*turbarii*); and elsewhere, outside Connaught, he will rise up, as often as he shall be called on, with twelve horsemen and twenty-four kerne. He will provide sufficient victuals for three months, every year, for sixty Scots, to be levied upon him and others of his sept and following in these parts, viz., Melaghlen O’Kelly, Callogh O’Kelly, and

\* Carew MSS., Vol. I., p. 151.

William O'Kelly. In consideration of the premises, he shall have the custody of the said monastery with all its appurtenances, and with the rectory of Galway appropriated to the same, until the king's pleasure in that behalf shall be notified to the lord deputy and council, paying to the king, annually, in said town of Galway, £5 in money there current. He delivered his son, Connor, as a hostage to the lord deputy."\*

The Abbey of *Collis Victoriae*, founded in 1189 by Cathal O'Connor, in fulfilment of a vow made by him before the battle in which he defeated Sir Almeric de St. Lawrence, was situate in Galway, in the neighbourhood of Tuam, far out of the English Pale; and its abbot seems to have been able to hold his own against any Crown grantee, being probably more of an Irish chief than Roman ecclesiastic.

These indentures may be divisible into two classes—those which contemplated, and those which did not contemplate, that the chief in question should be created a peer by letters patent. Of the former class that of O'Donnell, of the latter that of O'Byrne, is a specimen.

In accordance with the terms of their submission, many of the chiefs were created lords of parliament. The patents given to them upon those occasions introduced a new element into the relations between them and the king; for the king, upon such occasion, granted to the new peer the lands, which were assumed by the English king to be his, but were in fact those of the tribe of which he was elective chief for his own life only, to hold to him and his heirs of the king. This was not an oversight committed by the Government, which was perfectly aware of the nature of the Irish captaincies.† The exchange of a life estate in the chiefs for an hereditary estate in the whole tribe land was one of the inducements held out at this time to the greater Irish chiefs, to accept patents of nobility, and was an essential part of the Anglicising process.

With the acceptance of a title, the chief entered into further

\* Carew MSS., Vol. I., p. 190.

† See indentures with Hugh Burgh, and with Chonnour O'Brien O'Tonyengren, Carew MSS., Vol. I., pp. 156, 157.



and more stringent covenants ; thus O'Neill, upon his elevation to the Earldom of Tyrone, executed the following articles :—

(1.) "He utterly forsakes the name of O'Neyle.

(2.) "He and his heirs shall use the English habits, 'and to their knowledge the English language.'

(3.) "He shall keep and put such of the lands granted to him as are meet for tillage, 'in manurance and tillage of husbandry,' and cause houses to be builded for such persons as shall be necessary for the manurance thereof.

(4.) "He shall not take, put, or cess any imposition or charge upon the king's subjects inhabitants of the said lands other than their yearly rent or custom, but such as the deputy shall be content with, nor have any galloglass or kerne but such as shall stand with the contentation of the deputy and Council.

(5.) "He shall be obedient to the king's laws, and answer to his writs, precepts, and commandments, in the castle of Dublin, or in any other place where his courts shall be kept.

(6.) "He shall go with the king's deputy to all hostings, 'rodes,' and journeys, with such a company as the marches of the county of Dublin do.

(7.) "He shall not maintain or succour any of the king's enemies, traitors, or rebels.

(8.) "He shall hold his lands by whole knight's fees." \*

The spoils of the Church were judiciously distributed so as to secure the submission of the native chiefs, who, under the joint influence of alarm and self-interest, at length were so wrought to the king's wishes, as to enable him to summon a parliament in semblance representing, at least in the Upper House, the entire island. By this parliament, in 1542, was passed (33rd Henry VIII., chapter 1) the Act that the King of England, his heirs and successors, be kings of Ireland. This Act recited :—

"Forasmuch as the king, our most gracious dread sovereign lord, and his Grace's most noble progenitors, kings of England, have been lords of this land of Ireland, having all manner kingly jurisdiction, power, pre-eminences, and authority royal, belonging or appertaining to the royal estate and majesty of a king, by the

\* Carew MSS., Vol. I., p. 198.

name of lords of Ireland, where the king's Majesty and his most noble progenitors justly and rightfully were, and of right ought to be, kings of Ireland, and so to be reputed, taken, named, and called, and for lack of naming the king's Majesty and his noble progenitors, Kings of Ireland, according to their said true and just title, style, and name therein, hath been great occasion that the Irishmen and inhabitants within this realm of Ireland have not been so obedient to the king's Highness and his most noble progenitors, and to their laws, as they of right and according to their allegiance and bounden duties ought to have been."

It then enacted that the king's Highness, his heirs and successors, Kings of England, should always be kings of Ireland—that is, that Ireland, although constituting a separate kingdom, should always be bound to the English Crown by a personal union, the King of England becoming, in right of his English kingship, King of Ireland also. The arguments used upon this occasion by the Government appear in a document of the year 1541, entitled the King's Title to Ireland:—

"Title 1st.—First, at the beginning of the Irishmen into the land, they were dwelling on one side of Spain, called Boscoo, of the which Boscoo, Boyan is the chief city, and Boscoo is member of it. And at the Irishmen's coming into Ireland, King Burgomyn, son to the noble King Bellyng, and King of Britayne, which now is called England, was Lord of Boyan, *as our king now is*; and therefore they should be his men, and Ireland his land. Second.—The second title is this, at the same time that the Irish came out of Boscoo in sixty [ships ?] they met with King Burgomyne upon the sea at the Isles of Orcades, at his coming from Denmark with great victory. Then their captains, Hyberus and Herimon, went to this, and told him the cause of their coming, and prayed him with great instance that he would grant them that they might inhabit some land in the west. At the last, the king, by the advice of his Council, granted them Ireland to inhabit, and assigned them guides for the sea thitherward, and therefore they should be the king's men." The third title was founded on the submission of M'Murrough to Henry II.; the fourth title on the homage done by the Irish chiefs to the same king: they are stated to have become

“liege men and subjects, tributary by great oaths for them and their kingdoms and lordships to the aforesaid King Henry, and that by their own good will, as it seemeth well. For the chronicles maketh no mention of chivalry or war done by the king all the time that he was in Ireland.” The fifth title is the papal grant.

“This title openly appeareth by the same pope’s bulls, the copies of which are rife enough. Since came Vivian, a legate from the pope, into Ireland, and assembled in Dublin all the clergy of the land at a Council, at which Council the legate declared and confirmed to the clergy the king’s right to do good to Ireland, and commanded, and also denounced all the people of Ireland on the pain of cursing, that no man should depart foolishly from the allegiance and faith of the King of England.” The sixth title was rested on the Council of Armagh, held “at the time of the Conquest upon the coming of Englishmen.” By the same Council it was decreed that through the sin of the people of Ireland, by sentence of God, the mischief of the Conquest then befell. The seventh title was the submission of the chiefs to Richard II.

“Therefore, from the beginning to the end good is our king’s right to the lordship of Ireland, and therefore hold they them still for shame that thereof the contrary will say.”\*

No Act of any political importance was passed by the Irish Parliament during the remainder of the reign of Henry VIII. The civil government continued to be conducted upon the principle of conciliation and express agreements. It is possible that this course of policy might have led to permanently beneficial results; but it was continually counteracted by other proceedings of the Government, the most important of which was the course of ecclesiastical legislation introduced by the Tudor princes, the details of which form the subject of the succeeding chapter. Almost equally injurious was the persistent attempt to introduce the English language, dress, and habits.

\* Carew MSS., Vol. I., p. 178. This document was subsequently embodied in the Irish Act, 11th Elizabeth, chapter 1, the several titles of the English Crown being referred to in the preamble of that Act as a proof that the right of the English Queen to Ulster was superior to that of Shane O’Neill.



The assumption of the sovereignty of the entire island by Henry VIII. must have been followed by the abolition of the Pale, and the disuse of the distinction between the king's English subjects and Irish enemies. The Pale might have disappeared, by the Executive treating as loyal subjects all inhabitants of the island without distinction of law or language, or by an extension of the limits of the Pale so as to include the entire of Ireland. The former mode would have been in accordance with the general policy of the king; but the latter was unfortunately pursued by the Government.

It is much less difficult to absorb a nationality by the impartial administration of justice, the encouragement of commerce, and the creation of common interests, than to destroy it by proscribing the use of the local dress, language, and customs; the latter course, by which the tyranny of the foreigner is brought home to every household and individual, is the surest means of rendering an amalgamation of the two nations impossible; yet such was the course pursued by the English Government; in their attempt to do so they learned the lesson which has been taught to Austria in Bohemia, to Russia in Poland. Most men mistake the semblance for the reality, the outward and visible sign for the substance, and English statesmen preferred a discontented Irishman trying to speak a tongue which he imperfectly understood, and dressed after a fashion uncomfortable to him, and unsuited to his mode of life, to a contented Celt using the language of his fathers, and wearing the national mantle. The parliament of 1536 passed the Act of 28th Henry VIII., chapter 15. An Act could not have been more ingeniously framed in its recital and by its enactments to offend and insult every Celtic or Celticised inhabitant of the island. The first and fourth sections are as follows:—

“The King's Majesty, our most gracious and most redoubted sovereign lord, prepending and weighing by his great wisdom, learning, and experience, how much it doth more confer to the induction of rude and ignorant people to the knowledge of Almighty God, and of the good and virtuous obedience, which by his most holy precepts and commandments they owe to their princes and superiors, than a good instruction in his most blessed laws, with a conformity, concordance, and familiarity in language, tongue, in

manners, order, and apparel, with them that be civil people, and do profess and knowledge Christ's religion, and civil and politic orders, laws, and directions, as his Grace's subjects of this part of this his land of Ireland, that is called the English Pale, doth; and most graciously considering therewith upon the great love, zeal, and desire, which his most excellent Majesty hath to the advancement of the state of this his said land, and to the conveyance and training of his people of the same, to an honest Christian civility and obedience, whom his Highness tendreth as his members of this politic body, whereof immediately under God he is supreme head and governor; that there is again nothing which doth more contain and keep many of his subjects of this his said land in a certain savage and wild kind and manner of living, than the diversity that is betwixt them in tongue, language, order, and habit, which by the eye deceiveth the multitude, and persuadeth unto them, that they should be as it were of sundry sorts, or rather of sundry countries, where indeed they be wholly together one body, whereof his Highness is the only head under God, as it is aforesaid, of his most noble and princely disposition, and fervent zeal which his Highness hath and beareth to the advancement of the state of this his land, for a certain direction and order to be had, that all we, his said subjects thereof, might the better know God, and do that thing that might in time be and redound to our own wealth, quiet, and commodity, doth not only desire that all such good laws, as by wise, godly, and prudent princes, his most noble progenitors, have been heretofore made for the use of the English tongue, habit, and order, within this his said land, may be put in due execution, but also that the same may be so established, and in this present parliament brought to such a perfection that the said English tongue, habit, and order may be from henceforth continually (and without ceasing or returning at any time to Irish habit or language) used by all men that will knowledge themselves, according to their duties of allegiance, to be his Highness' true and faithful subjects, his Majesty doth hereby intimate unto all his said subjects of this land, of all degrees, that whosoever shall, for any respect, at any time, decline from the order and purpose of this law, touching the increase of the English tongue, habit, and order, or shall suffer

any within his family or rule to use the Irish habit, or not to use themselves to the English tongue, his Majesty will repute them in his most noble heart as persons that esteem not his most dread laws and commandments ; but whatsoever they shall at other times pretend in words and countenance, to be persons of another sort and inclination than becometh the true and faithful subjects ; wherefore be it enacted, ordained, and established by authority of this present parliament, That no person ne persons, the king's subjects within this land being, or hereafter to be, from and after the first day of May, which shall be in the year of our Lord God a thousand five hundred thirty-nine, shall be shorn, or shaven above the ears, or use the wearing of hair upon their heads, like unto long locks, called glibbes, or have or use any hair growing on their upper lips, called or named a crommeal, or use or wear any shirt, smock, kerchor, bendel, neckerchour, mocket, or linen cap, coloured or dyed with saffron, ne yet use or wear in any their shirts or smocks above seven yards of cloth, to be measured according to the king's standard ; and also that no woman use or wear any kyrtell, or coat tucked up, or embroidered or garnished with silk, or couched ne laid with usker, after the Irish fashion ; and that no person or persons, of what estate, condition, or degree they be, shall use or wear any mantles, coat, or hood made after the Irish fashion ; and if any person or persons use or wear any shirt, smock, coat, hood, mantle, kircher, bendel, neckerchor, mocket, or linen cap, contrary to the form above recited, that then every person so offending shall forfeit the thing so used or worn, and that it shall be lawful to every the king's true subjects to seize the same, and further, the offender in any of the premises shall forfeit for every time so wearing the same against the form aforesaid, such penalties and sums of money, as hereafter by this present Act is limited and appointed."

"IV. And further, be it enacted by authority aforesaid, That every the said person and persons having or keeping any house or household, shall, to their power, knowledge, and ability, use and keep their houses and households, as near as ever they can, according to the English order, condition, and manner, upon pain of forfeiture to every lord spiritual and temporal that shall offend



in the premises, or any parcel thereof, as often as he shall so offend, the sum of vi. li. xiii.s. iiii.d. ; and upon pain of forfeiture to every knight and esquire that shall offend in the premises, or any parcel thereof, as often as he shall so offend, xl.s. ; and upon pain of forfeiture to every gentleman or merchant that shall fortune to offend in the premises, or any part thereof, as often as he shall so offend, twenty shillings ; and upon pain of forfeiture to every freeholder and yeoman that shall offend in the premises, or any parcel thereof, as often as he shall so offend, ten shillings ; and upon pain of forfeiture to every husbandman that shall offend in the premises, or any parcel thereof, as often as he so offendeth, vi.s. viii.d. ; and upon pain of forfeiture to every other the king's subjects within this land, whatsoever he that shall offend in the premises, or any part thereof, as often as he shall so offend, iii.s. iiii.d. ; the one-half of the which forfeitures to be to our sovereign lord the king, his heirs and successors, and the other half of the same to the party that will sue for the recovery thereof, by action of debt, bill, plaint, information, or otherwise, in any of the king's courts, wherein no essoine, protection, ne wage of law shall be admitted or allowed."

The spirit of this Statute is carried out in the ordinance for the town of Galway in 1536, by which the inhabitants were directed to shave their upper lips, called *crumpeaulis*, and suffer the hair of their heads to grow till it covered their ears ; not to wear mantles in the streets, but cloaks or gowns, coats, doublets, and hose after the English fashion ; and that no man, woman, or child should " wear saffron in their shirts, smocks, or other garments, or have more cloath in the same than five standard ells of that country cloath."\*

The same policy is evidenced by the clauses in the indentures with some of the chiefs that they would observe the English fashions.

Such Acts and ordinances as these were never obeyed, nor could be enforced ; it is not probable that anyone, in obedience to them, spoke, dressed, or lived like an Englishman, or was punished for failing to do so. Their effect was to insult the native population

\* Carew MSS., Vol. I., p. 91.

by holding up their language, dress, and customs as barbarous, by stigmatising as disloyal all who lived after the fashions of their fathers; to make them hostile to the Government by denouncing them as rebels for continuing simply the course of life to which they were accustomed, and which was suitable to their wants and necessities. It encouraged the soldiery to insult and rob the inhabitants, whose dress and customs seemed to mark them as rebels; it justified officials in disregarding the complaints of mere Irishmen, and created the feelings of contempt on the one hand, and distrust on the other, which have ever since existed between the English and Celtic portions of the population. By this course of policy the Government made enemies, not of the chiefs who could be bribed at the expense of the Church, or, more easily still, of their own tribesmen, but of the body of the people.

The scope and effect of these enactments are fairly expressed by Mr. Brewer:—

“By wise and conciliatory treatment, the great mass of the people, like the Lowlanders in Scotland, would have proved a barrier to the turbulence and insurrections of the chiefs. But, indifferent to the condition, the wants, and the wishes of the broad mass of the population, the Tudor sovereigns merely sought how to force the Irish into compliance with English manners, English habits, dress, and customs; and, when the task proved impossible, nothing remained except to retreat, or to ride roughshod over all obstacles to good government and improvement.

“Throughout the papers of Carew there are to be found repeated and fruitless enactments for obliterating from the face of Ireland all traces, accidental or otherwise, of Irish characteristics. The land was in all respects to be remodelled, *volens nolens*, upon an English platform, so far at least as it was possible in a conquered province—so far as an humble and distant dependant can be made to assume the dress, manners, deportment, religion, and policy of its superior. Its deputy was to be the *alter idem* of English royalty; its council board the counterpart, in its constitution and its authority, of the council board in England. Its chiefs, some of whom were scarcely superior in civilisation to their followers, were to abandon their wild and intemperate habits, and wilder lives, among

wild dependants, and, holding their estates, like English noblemen, of the Crown, to strut in the robes of peers of the realm. Ireland must have its bench of bishops, and its dioceses, most of which existed only in name; and even the people were to be remodelled after the English fashion. The weight of the law was brought to bear against forelocks and moustaches; it regulated the size of noblemen's and gentlemen's shirts, and took under its protection hats, caps, French hoods, and tippets. Saffron cloth and embroidery were little better than constructive treason. To listen to Irish lays, or give alms to an Irish minstrel, exposed the offender, by the bitter sarcasm of the laws, to the forfeiture of both ears if the offence were repeated. 'All carroughes, bards, rhymers, and common idle men and women, within the province [of Munster] making rhymes, bringing of messages, and common players at cards [are] to be spoiled of all their goods, and chattels, and to be put in the next stocks, there to remain till they shall find sufficient surety to leave that wicked trade of life, and fall to other occupation.' As if, forsooth, they could!"

"Nor did these restrictions end here. They descended even to the women's apparel. According to the ordinances proclaimed at Limerick by Sir John Perrot in 1571, no maid or single woman was allowed 'to wear or put on any great role or kercher of linen cloth upon their heads, neither any great smock with great sleeves, but to put on hats, caps, French hoods, tippets, or some other civil attire, upon their heads,' upon pain of forfeiting 'the said Irish garments so worn;' the same forfeiture to be to such person or persons as shall happen to seize the same."\*

But, great as were the defects of the policy of Henry VIII. in civil matters, posterity should not pass upon it a hasty condemnation. It was shortsighted and narrow, and involved in itself the elements of its destruction. But it must not be judged with reference to what we now see ought to have been done, or think might have been done; it should not be contrasted with an ideal or impossible mode of government; it should be compared with the *laissez faire* policy of Henry VII., the frightful wars of the reign of Elizabeth, and the plantation of James I. Credit must

\* Carew Papers, Vol. II., p. 25.



be given for the political necessities, the terrible crisis, the struggle for existence on the part of the king, when this policy was inaugurated, the extreme difficulty of obtaining information as to Irish affairs except through the channel of the Irish executive, the constantly expressed desire of the king to do justice to all, to protect the poor, and curb the insolent; and last, but not least, the total deficiency of his means to accomplish the objects which he desired to effect, and which he was compelled to attempt.

---

## CHAPTER XIV.

---

### HENRY VIII.—HIS ECCLESIASTICAL POLICY.

THE Church history of these islands during the period of the Reformation is a difficult and dangerous subject. Popular writers seek not so much to set forth the truth as to the events of this period, as to present a statement of the facts in a manner most complimentary to their co-religionists, most depreciating to their opponents. These works are greedily read by those who desire to be assured that the founders of their Church were saints and martyrs, and the leaders of the other religious parties persecutors and traitors. Both religious parties, with a perceptible suspicion of their own infallibility, shrink from an indifferent discussion by authors more impartial, or, as they would style it, less religious, than themselves. They can understand their religious opponents, men of like passions with themselves; they know that assertions, equally unfounded as their own, can produce no permanent impression; but for those who, without any doctrinal bias, desire to discover what really took place, all religious parties, discordant in all else, express unrestrained antipathy. And they are right in so doing; for religious animosities are among us fed by the recital of sectarian myths. Protestants, whose knowledge of history extends beyond the Battle of the Boyne, believe the Reformation in Ireland to have been the work of a saintly boy and an heroic queen; Catholics persist in considering Henry VIII. as a Protestant hero, and Elizabeth as the zealous persecutor of all those whose opinions differed from her own. Filled with these traditional prejudices, they misjudge the characters and objects of their neighbour, justify their own uncharitableness, and applaud political views ungenerous and mischievous.

The religious revival of this century has increased the unfairness and virulence with which such subjects are treated. The memory of the great dead is not held sacred from defamation. Heroes, whom their opponents in many a hard-fought field—nay, even the priests of the opposing Church—could recognise as honest, generous, and noble, are libelled by partisan writers as base, profligate, and treacherous; the men whom their contemporaries knew to be truckling and base have been whitewashed and spiritualised. We should at once perceive the folly of such conduct, if exhibited by a foreigner. What would be thought of a Huguenot who alleged as an excuse for disloyalty to the emperor the massacre of St. Bartholomew?—of a French Catholic who would justify restraints upon freedom of Calvinist worship by complaints of the desecration committed by Huguenot iconoclasts? Do German Lutherans look on the sack of Magdeburg save as an historical event? Do Austrian Catholics still hope to avenge the victories of the great Gustavus? How is it that in this country we are guilty of conduct so unreasonable?

It may, perhaps, be attributed to the fallacy, that the truth of a religion or the orthodoxy of a sect may be tested by the political morality of its founders or promoters. A Protestant imagines that the persecution of Mary, or the iniquities of the Inquisition, prove the spirit of Catholicism to be utterly unchristian and immoral; a Catholic believes that the principles of Protestantism are discredited by proving that the moral character of Elizabeth was not above suspicion, or that the children of an Irish archbishop were illegitimate. Ill would it fare with any creed so tested! The verdict must go against Christianity itself, if we received as evidence against its truth the persecutions, the religious wars, the manifold oppressions perpetrated in its name from the time of Constantine until now! Every religion has been dishonoured by its political leaders; religions have subsisted, not through, but in spite of, the deeds of their advocates and zealots. But, further, when we cease to confine our attention to one isolated province, and regard the religious struggle, not of these islands alone, but of Europe, in the sixteenth and seventeenth centuries, the absurdity of such a test is

[\* These Lectures were delivered before the fall of the Second Empire.]



at once apparent. We find no sect whose conduct was irreproachable; that they all acted alike according to their opportunities; that the persecuted religion would have itself persecuted, if the fortune of war had been different; that the religion which adorned one country with its martyrs disgraced the neighbouring kingdom by its persecutors. The suffering Covenanters could in a moment of brief success massacre Episcopalians, and call it God's work. When what zealots called God's cause triumphed in the field or in the cabinet, their religion was certain to incur dishonour: fortunate is the sect which never attained political power.

The history of his own country must soon teach any educated Frenchman or German, that the political demerits of all religious bodies are much about the same, and that religious or moral truths must be judged by a standard very different from that current among us. The great defect of our system of education—the total neglect of either ecclesiastical or modern history—alone permits this fallacy to remain unexploded.

Under the head of ecclesiastical policy it is not intended to discuss the correctness or fallacy of the theological innovations of Henry VIII., but rather the legislative acts, and the overt proceedings of the executive, which aimed at the alterations or maintenance of religious dogmas or discipline. Such overt acts should be judged favourably or the opposite, not because they tended to propagate true religion or suppress error,—upon which subject religious bodies will differ among themselves—but must be approved or condemned in so far as they were in themselves just or unjust, and politically expedient or the contrary. The statesmen who introduced them, the opponents who resisted them, must be judged of in a similar manner; give them credit for a sincere belief in the truth of the doctrines they advocated, unless by their own letters or conduct they are convicted of the contrary; judge them by the standard of their own age, and the average conduct of their contemporaries; give sufficient allowance for human weakness and passion; strive to understand their difficulties and perplexity, and to realise our own ignorance on the subject; but, having done so, do not hesitate to denounce violence and injustice, by whomsoever perpetrated, and in what cause soever; do not follow the principle of one of the earliest Church historians, who boasts, that he

suppressed all that was disgraceful to the orthodox and honourable to the heretic.

Statesmen and ecclesiastics are entitled to no more than impartial justice ; but there is another party in the coming struggle, for which our sympathy should be unbounded, whose sufferings are to be deplored, whose errors forgiven—the voiceless suffering mass of the population. We shall see them swept away in the eddies of politics, bewildered in the strife of contending creeds, led to destruction by incompetent chieftains, unworthy of the fidelity lavished upon them, crushed by a ruthless soldiery, decimated by indiscriminate justice—their homes burnt, their families scattered, their flocks driven off, and themselves either crawling forth from lairs in the bogs and thickets in search of food, or perishing in some hopeless struggle, to which they had been stimulated at once by famine and revenge.

The religious revolution in Ireland was the inevitable consequence of that in England. Henry VIII. was in no sense a Lutheran or Protestant ; on all doctrinal points he remained a Catholic. The Six Articles, published and enforced in 1539, asserted all the doctrinal points offensive to Lutherans. The sole point on which he split from the Church of Rome was the question of the papal supremacy. The suppression of the monasteries, already initiated by Wolsey, was aimed, not at the faith, but at the corruptions of the Church, and as such was expressly condoned by the Bull of Paul IV. The ostensible policy of Henry VIII. was to establish the royal in lieu of the papal supremacy, without, however, severing the national from the Catholic Church of Christendom, and to suppress the monasteries, and purge the Church from abuses, without in any degree altering its ancient doctrines. The abolition of the papal supremacy involved him in a contest with the pope ; and the constant peril of a Catholic reaction forced him to reduce the clergy to complete subservience. It was impossible that in Ireland, of which he was anxious to be the real, not merely nominal sovereign, the Church should continue on its old footing ; and that its clergy, servants of the pope, and not the king, should form a rallying point for the discontented Catholics of England. The abolition of the pope's supremacy in England had not been supported upon arguments of policy and expediency only ; it was

asserted by the king that the authority of the Bishop of Rome was a usurpation, and an infringement upon the sovereign rights of the Crown; it was to be abated as an injustice to the king and nation, and upon its abolition the king was not to enjoy any new prerogative, but to re-enter into the exercise of his inherent jurisdiction. To have left this usurped foreign dominion existing in Ireland when it had been abolished in England, was a contradiction too flagrant to be acquiesced in. He was to be king in Ireland, as he was king in England. The whole scope of the Tudor policy, to assimilate Ireland to England, would have been marred by such an anomaly. If a national Church was to exist at all—and all then would have considered a nation incomplete and unorganised without a national and established Church—the ecclesiastical system of Ireland necessarily was to be assimilated to the English, and to follow it in all its changes. The measures by which the Reformed Church was introduced into Ireland were twofold—enactments of parliament, and acts of the executive, which in our day would be regarded as entirely illegal, and even then were resented as arbitrary. The former, obvious and patent, have been overrated in their effects; the latter, which are scarcely noticed in popular history, produced the extraordinary result that the mass of population, both the old colonists and the Celtic tribes, are found united against England in the middle of the seventeenth century, not as the Irish nation, but as Catholics fused together, as it were, into a pseudo nationality, founded upon religious identity.

The Act conferring the supremacy of the Church upon the king is the 28th Henry VIII., chapter 5, and its preamble shows distinctly that it was understood to be a portion of the Anglicising policy of the period. "Like as the King's Majesty justly and righteously is and ought to be the supreme head of the Church in England, and so is recognised by the clergy and authorised by an Act of Parliament made and established in the said realm; so, in like manner of wise, forasmuch as the land of Ireland is depending and belonging justly and rightfully to the Imperial Crown of England, for increase of virtue in Christ's religion within the said realm of Ireland, and to repress and extirp all errors, heresies, and other enormities and abuses heretofore used in the same; be it enacted by the authority of this present parliament that the king



our sovereign lord, his heirs and successors, kings of the said realm of England, and lords of this said land of Ireland, shall be accepted, taken, and reputed the only supreme head on earth of the whole Church in Ireland, and shall have and enjoy annexed to the Imperial Crown of England as well the title and style thereof, as all honours, dignities, &c., to the supreme head of the same Church belonging and appertaining ; and that the said sovereign lord, &c., shall have full power and authority to visit, repress, &c., and amend all such errors, heresies, &c., whatsoever they be, which by any manner spiritual authority or jurisdiction ought to be reformed, &c., most to the pleasure of Almighty God, the increase of virtue in Christ's religion, and for the conservation of peace, union, and tranquillity of the land of Ireland."

The king's supremacy having been established by Act of Parliament, it naturally followed that the maintenance of the supremacy of the pope became illegal, and subjected those guilty of it not to the charge of heresy, but to punishment for a misdemeanour. It seemed a fair test of disloyalty to deny the king's supremacy now established by Act of Parliament. To leave no doubt upon this point, the 28th Henry VIII., chapter 13, was passed "against the authority of the Bishop of Rome," which, after reciting the various evils produced "by the pretended power and usurped authority of the Bishop of Rome," enacted that every person who should "by writing, cyphering, printing, preaching or teaching, or by any act obstinately hold or stand with to extol, set forth, or maintain, or defend the authority or power of the Bishop of Rome," or "invent anything for the extolling, &c., of the same," or "obstinately and maliciously attribute any manner of jurisdiction, &c., to the said See of Rome," should incur the penalties of *præmunire*. The magistrates were directed to inquire of offences, &c., contrary to this Act, as of other acts against the king's peace, and to certify such presentment into the King's Bench ; archbishops, bishops, &c., on their visitations were directed to make inquiry and examination of all religious persons suspected of transgressing this Act, who, upon conviction, should be committed to the next gaol, or be held to bail in sureties to appear before the Council. The visitor or ecclesiastical judge who voluntarily failed to make a certificate pursuant to the statute, was himself subject to a fine of

£40; all officials, before entering upon their office, were required to take the oath of supremacy, as were also all persons suing out their living, or who had any office, fee, or room of the king's gift, or were retained in service by him; a refusal to take the oath by any person directed by the Act to take it, or required to do so by any person commissioned to require it, was declared high treason. This Act, apparently not justified by the state of Ireland, can only be understood by reference to the condition of England. In 1536 and 1537, the Catholic party had risen in arms. On the 1st October, 1536, an insurrection broke out in Lincolnshire; on the 12th of the same month, commenced the rising of the North, temporarily allayed by the Convention of Doncaster on the 2nd October, but renewed in the January of 1537. These risings were avowedly religious. On Christmas Eve, at Rome, the pope at a midnight mass had blessed the customary sword and cap, destined to be sent to James V. of Scotland, as a champion of the Holy See, for whom the pope prayed "that God might strengthen his right hand with that sword, and protect his head with the cap through the might of the Holy Spirit, figured as a dove thereupon." Reginald Pole was starting with his legantine commission, and five pastoral letters, one of which was addressed to the pope's well-beloved children of England, who were then giving noble proof of their fidelity in taking up arms for the truth. The pope and the Catholic party had thrown down the gauntlet, and the king accepted the defiance. It seemed to the English Government that Ireland might become the scene of the struggle. The Geraldine might at any moment revive as the Catholic party. The question of the supremacy was the test to judge who were for the king, and who against him. "Whether the king was or was not head of the Church became the rallying point of the struggle, and the denial or acceptance of this title was the test of allegiance or disloyalty. To accept it was to go along with the movement heartily and completely; to deny it was to admit the rival sovereignty of the pope, and with his sovereignty the lawfulness of the excommunication. It was to imply that Henry was not only not head of the Church, but that he was no longer lawful King of England, and that the allegiance of the country must be transferred to the Princess Mary when the pope and the emperor should

give the word. There might be no intention of treason; the motive of the opposition might be purely religious; but, from the nature of the case, opposition of any kind would abet the treason of others, and no honesty of meaning could render possible any longer a double loyalty to the Crown and the papacy."\* So far from this being exceptional legislation for Ireland, the more stringent statute of the 26th Henry VIII., chapter 2 (English), does not appear among the Irish Acts.

The Act establishing the king's supremacy was followed by a series of statutes, the object of which was to transfer to the royal exchequer the moneys hitherto payable to Rome, and also to force ecclesiastics to contribute to the public revenue. The principle of these Acts was supplemented by the prohibition of the payment of Peter's Pence, or the procuring of licences, absolutions, and faculties from Rome. These enactments were either the logical consequence of the king's supremacy, or a concession to the views of the Irish Council, who had previously proposed that ecclesiastics should be compelled to contribute to the general burdens.

The other legislative enactments relative to ecclesiastical affairs were the Acts passed for the dissolution of the monasteries. By the 28th Henry VIII., chapter 16, it was enacted that his Majesty should have and enjoy the houses of Bective, St. Peter's by Trim, Dulske, Duleek, Holmepatrick, Baltinglass, Grane, Taghmolin, Dunbrodie, Tenterne, Ballebogane, the Abbey of Hogges, and Fernes, and also all and singular such religious houses not already by his Grace given to any person or persons by letters patent, which, at any time within two years next before the making of the Act, had been given to his Majesty by any abbot, prior, abbess, or prioress, under their convent seals, or by any other means, or had otherwise been suppressed and dissolved. The 3rd section vested in the king all ornaments, jewels, goods, chattels, and debts belonging to the governors of the dissolved monasteries on the 1st of June, 1536.

After the date of this Act, the Crown took surrenders from the heads of monastic institutions not mentioned in it. On the 16th November, 1538, Walter Hancock, the Prior of All Saints,

\* Froude, Vol. II., p. 327.



surrendered that monastery and its estates to the king. On the 16th July, 1539, the Abbess of the house of St. Bridget of Odder surrendered to the king. On the 25th of July the Abbot of St. Thomas the Martyr, near Dublin, surrendered. On the 23rd July the celebrated Abbey of Mellifont was surrendered. The surrenders follow rapidly upon the record roll. Thirty-one deeds of this description follow the surrender of the Abbey of Mellifont.

In 1542 a further Act was passed, for the suppression of the monasteries (33rd Henry VIII., Sess. II., chapter 5). The object of this Act is not to suppress any monastic institutions, but to vest in the king the properties of such abbeys as had then or should thereafter voluntarily surrender. The recital states that "whereas Sir John Rawson, the late prior of the priory or hospital of St. John of Jerusalem, and others divers and sundry abbots, priors, abbesses, prioresses, and ecclesiastical governors, &c., of their own free and voluntary minds and assents, without restraint, coercion, or compulsion of any manner, person, or persons, since the 4th February, in the 25th year of the king's reign (1534), had granted and confirmed their said hospitals, &c., to the king." The first section vested the property of all such houses in the king; and the third section dealt similarly with the estates of all houses which should thereafter happen to be dissolved, suppressed, renounced, relinquished, forfeited, given up, or in any other means come into the king's hands. Both of these Acts contain the most elaborate provisions to protect the interests of third parties.

The Act of 1542, though apparently only confirming voluntary transactions, and dealing with the property of houses legally dissolved, was practically an Act for their compulsory disestablishment. The surrenders of the abbeys are not pretended to have been voluntary. If a surrender was not conceded, duress was put upon the head of the house to compel him to acquiesce in the desires of the Crown. Thus the last Abbot of St. Mary's, Thurles, having refused to surrender, was carried to Dublin, where he suffered a long confinement. The abbots have been accused of pusillanimously yielding up their houses through fear of personal violence; but it must be borne in mind that the royal supremacy would have warranted the king, acting as head of the Church, in dissolving an abbey—a power which had been frequently exercised

by the popes ; in which case the entire property of the house, without the necessity for a surrender, would have vested in the Crown. It was for the interest of the monks to make the best compromise with the Crown, rather than to run the peril of being left wholly unprovided for upon a formal dissolution of the establishment. The Act of the 28th Henry VIII. provided a pension for the heads of the institutions, but left the brethren wholly unprovided for ; the Act of the 33rd Henry VIII., dealing only with voluntary surrenders or legal dissolutions, contains no allusion to any compensation.

It is clear, however, that the monks were able to surrender upon terms which made a provision for the members of their houses. In 1540 a commission was issued for granting annual stipends to the monks of the suppressed houses.\*

The grand prior secured an income of £500. In 1542 the sum of £1,259 3s. 4d. appears in the annual expenditure as paid for compensation to members of dissolved houses. In the Chancery Rolls there appear in the year 1539 seventy enrolled grants of pensions, some of the grants containing several distinct pensions, granted to members of dissolved houses. They are of the most varying amount, from £50 per annum, granted to the Abbot of Fower, to small annuities of £2 and £1.

The Acts for suppression of the monasteries were not completely carried out until the reign of James I., up to which date the monasteries of Tyrone, Fermanagh, and Donegal remained "continually possess'd by the religious persons." In the reign of Elizabeth many houses remained unsurveyed, and had been forgotten or overlooked by the Government.

The amount of chattel property actually realised by the Crown was surprisingly small. The movables of the monasteries had been valued at £100,000 ;† but the whole amount accounted for by Sir Wm. Brabazon was not more than £2,709 14s. 9½d.

The landed estates of the dissolved houses passed to grantees under the Crown. But a distinction must be made between the grants of abbey lands in England and in Ireland. The English

\* Ware, Ann., p. 103.

† State Papers, Henry VIII., Vol. II., Part 3, p. 438.

grants were wanton and extravagant gifts of public property made by the king to Court favourites. It was understood in England that the income of the confiscated lands, by increasing the king's revenue, would *pro tanto* relieve the Commons from the burden of taxation, and the voluntary gift of these lands was therefore a fraud upon the nation. The contrary was the case in Ireland; the lands were confiscated that they might be granted to patentees under the Crown. The planting of the estates of the abbeys, by tenants who were to live after the English fashion, was the professed object of these enactments, and was undoubtedly used as an argument by the Government upon these occasions. In 1541 the king writes to the Council relative to the sale of the abbey lands—"We would that they should be sold to men of honesty and good disposition to civility, or to the townships where they be situate, if you should think that the same may be commodious to them, and the rather maintain them in society and in civil manner and living."\*

This further appears from the 7th section of the earlier Act, which provides that the grantee should be bounden under the penalties thereafter contained to keep an honest farmer's house and household in the site, circuit, and precinct; and by the 10th and 11th sections of the latter Act, by which it appears that the king's grantees were to receive certain moneys "for the better maintenance of hospitality and good housekeeping in and upon" certain sixteen houses in the Act specified. Both of the Acts also are full of allusion to the grants theretofore made and thereafter to be made by the king. The grantees, as all other grantees of Irish properties, never fulfilled the conditions of these grants. Fortunate were those monasteries which were allowed to fall into ruins; noble buildings, situate even in the capital, were torn down for the purpose of supplying building materials.

On the 4th of February, 1538, the late priory of All Saints, near Dublin, was granted to the Corporation of Dublin "in consideration of the siege, famine, miseries, wounds, and loss of blood suffered by the citizens, and the chivalrous conduct in defending the city against the rebellion of Thomas Fitzgerald." The last document in the Act book of the priory is a lease of the house and

\* State Papers, Ireland, Vol. III., p. 295.



precincts by the Corporation, in which there is reserved to the lessors the right to enter and take away all stones, slates, and timber, treating the old building as a mine or quarry.

The native chiefs were perfectly willing to share the plunder of the Church. Abbeys were to be granted to them "as the means to make them rather glad to suppress them."\* The Lord Fitzpatrick petitions for a grant of "the house of friars called Haghevoov, with ten acres of land worth 10s. Irish yearly; the monastery of Haghmackart, with sixteen acres, worth 16s. Irish, and the monastery of Leyes Abbey, of the yearly value of £6 13s. 4d. The king grants to O'Brien all such abbeys as he hath in his possession in Thomond; to O'Brien, Baron, of Ibrackin, the Abbey of Ellenegrane, and the moiety of the Abbey of Clare; to the Lord of Upper Ossory (Fitzpatrick) the Abbeys of Hachmakart and Haghevoov, for which he had petitioned; to the Bishop of Clonfert that the Abbey de Portu Puro Clonfert-Brendan should be united to the bishopric; to M'William, Earl of Clanrickard, the gift of disposing of all such parsonages and vicarages as were of the gift of the Crown within the compass of his lands, bishoprics excepted, with the third part of the first fruits growing of the same towards the maintenance of his estate; and the Abbey de Viâ Novâ then in the possession of his son."†

The immediate effect of the dissolution of the monasteries was twofold: it destroyed the sole institutions in the country which were professedly peaceful, and where hospitality and education could be obtained; secondly, it deprived a large proportion of the parishes, between one-third and one-fourth, in the island of the means of supporting a resident clergy, and left the country districts without any religious ministration or instruction. In 1538 the lord deputy and Council protested against the universal abolition of the religious houses; they proposed that "six houses should stand and continue, changing their clothing and rule in such sort and order as the King's Grace should will them;" which are named—St. Mary's Abbey, adjoining to Dublin, a house of white monks; Christ Church, a house of canons, situate in the midst of the city of Dublin; the

\* State Papers, Ireland, Vol. III., p. 339. Id., p. 464.

† Id., p. 472.

nunnery of Gràce Dieu, in the county of Dublin; Connal, in the county of Kildare; Kenlys, in the county of Meath; and Jerpoint, in the county of Kilkenny. "For in these houses commonly, and others such like, in default of common inns, which are not in this land, the king's deputy and all other his Grace's Council and officers, also Irishmen and others resorting to the king's deputy in their quarters, is and hath been most commonly lodged at the cost of the said houses. Also in them young men and children, both gentlemen's children and others, both of mankind and woman-kind, be brought up in virtue, learning, and in the English tongue and behaviour, to the great charges of the said houses; that is to say, the womankind of the whole Englishry of this land, for the most part, in the said nunnery, and the mankind in the other said houses. And in the said house of St. Mary's Abbey hath been the common resort of all such of reputation as have repaired hither out of England. And in Christ's Church Parliaments, Councils, and the commons resort, in term time, for definitions of matters by judges and learned men, is for the most part used. For which causes and others moved and reasoned amongst the Council, it was thought the king's most gracious pleasure standing therewith, more for the common weal of this land, and the king's honour and profit, that the said six houses, changing their habits and rules after such sort as shall please the King's Majesty, should stand, than the profits that should to the King's Grace grow by their suppression."\* All these houses were dissolved except Christ Church, which was changed from regular to secular canons, and even so narrowly escaped.

The effect of the dissolution of the monasteries upon the parochial system is set out in the recital of the 33rd Henry VIII., chapter 14: "Whereas as well the church of Kilmainham is a parish church, and has been appropriated and united unto the late hospital of St. John's, Jerusalem, as also divers other parish churches, likewise appropriate to the said like hospital, and to other monasteries, religious houses, and hospitals, now dissolved, having no vicar, endowed within the said parish churches, within which parish churches divine service was done, maintained,

\* State Papers, Henry VIII., Vol. III., p. 130.

and kept, and the cure served by the late religious persons of the said hospital, monasteries, and religious houses; and forasmuch as the said hospital, monasteries, and religious houses be now lawfully and justly dissolved, and come into his Majesty's hands, whereby there is no person certain appointed to do, maintain, and keep the same cure, minister sacraments and sacramentals to the parishioners within the said parish, and every of them"—i.e., the tithes of the parishes had passed to the religious houses upon the condition of their providing from their own body for the spiritual wants of the parishioners, which duty they had confessedly, whether well or ill, performed; all the property of the convents, inclusive of the parochial tithes, had been confiscated, and granted to laymen, who were not bound to fulfil the tacit engagements under which they had been held by the religious bodies; and consequently the parishioners, whose claims were totally forgotten, were left without any parochial minister. By this Act an attempt was made to remedy the evil, how utterly inadequate appears from the condition of the Church in the reign of Elizabeth.

As if to render it impossible to fill up vacancies in the Church, the Anglicising system was extended to Church preferments, and an attempt was made to substitute an English for the native priesthood. By the 28th Henry VIII., chapter 15, section 7, it was enacted that all persons possessing Church patronage should appoint "to such persons as can speak English, and to no other person or persons, unless there be no person or persons who can speak English that will accept and take the same; and if, after convenient search, the patron could not within three months get a person who could speak English to accept the preferment, he should cause proclamation to be made at four market days in the next market town, that if any person who could speak English, *apt and convenient* to accept the office, would repair to the patron and accept the appointment, he should have the nomination; but if no such person appeared, the appointment might be given "to any *honest, sufficient, able person*, albeit that such person cannot speak English." This Act contemplates no difference in religion; it does not give any preference to the Protestant over the Catholic; it fixes with a disability to enjoy ecclesiastical office all who could not speak English, although honest, sufficient, and able; it gives a monopoly



of office to those who speak English, who are not required to be "honest, sufficient, or able"—merely to be "apt and convenient."

The result of such a system of ecclesiastical promotion was apparent in the reign of Elizabeth. To realise how injurious to the establishment of the Reformed Church such a system must have been is impossible, unless it be borne in mind that the reformed doctrine was not preached by missionaries, or supported by any popular movement; it was introduced into the country officially, by Acts of Parliament, and bishops acting under the royal authority, who were commissioned to promulgate the new doctrine through the machinery of the Church itself. To give such a system any chance of success, it was requisite that the whole hierarchy of the Church should be kept in working order, and under thorough discipline. The very first step of the English Government was to break up the machinery of the Church, and to destroy all influence of the bishops over the masses, by depriving large districts of parochial clergy. The immediate result of the dissolution of the abbeys, and the ban to which Irish-speaking priests were subjected, was to throw the whole spiritual guidance of the lower orders into the hands of the preaching friars, who alone of the priests of the Church had been used "to preach the Word of God." This is well stated by Mr. Brewer:—"The number and influence of the secular clergy in Ireland had from time immemorial been of small account. They had, by common admission, done very little to evangelise the country, or maintain the religious faith of the people. These duties had fallen into the hands of the poorest and least educated of the begging friars, men who had learned to endure every form of hardship, very little removed in their education and worldly condition from those among whom they laboured. Even in more civilised, wealthy, and orderly countries, this class of ecclesiastics professed no obedience to the bishops—it hung loose from ecclesiastical authority. It acknowledged no head but the superior of its order—no bishop except the pope. To the friars it mattered little whether Dowdall or Waucop was primate—the nominee of an Irish chieftain or of an English king. They went on just the same, and, except for the fact that their houses had been generally suppressed, it is very doubtful whether the Reformation had much altered their position, or

diminished their scanty livelihood. Among the lowest and the poorest of the people, where none laboured, even in better times, they continued to labour still. In fastnesses, in moors, in inaccessible forests, where the native Irish found protection as well from the tyranny of his native chief, as from the oppressive rule of England, these preachers, little better than outcasts themselves, still kept up in their own rude way the feeble sparks of religion. What mattered it to them who was bishop, or what were his officials, secure in poverty, which nothing could or would molest—secure of a ministry which no one was willing to share with them?''\* The parliament which abolished the pope's supremacy threw the people into the hands of the ecclesiastical party most devoted to the Bishop of Rome.

The effect of the statutory measures for the reformation of the Church was greater in appearance than in reality. They were Acts of parliaments sitting in Dublin, and had no more result than innumerable other Acts of similar parliaments, relative to secular affairs. To the mass of the population these Acts remained unknown; to those in the districts not under the rule of the Dublin Council, who were acquainted with them, they were matters of indifference.

The abstract enactment that the king was the supreme head of the Church was mere waste paper to those who believed the pope to be the supreme bishop. The maintenance of the pope's supremacy was to be punished by the offender being brought before the King's Bench. This could cause no alarm to those who lived in open defiance of the whole executive. Those who would not take the oath of supremacy were excluded from office. How small a portion of the island was in the hands of English officials in the Pale itself. What chance of office had the man who laboured under the disgrace of being an Irishman? When the Courts of Dublin were impotent to repress civil war, murder, or arson, through the greater part of the island, their prosecutions for speculative opinions could not have been much apprehended by the population. To give these Acts any efficiency, there was requisite a strong executive and a Protestant population. When these elements were introduced

\* Carew MSS., Vol. III., p. xiv.

into Irish political questions, but not until then, these enactments produced the consequences which are attributed to them at the date of their first enactment. Their provisions might be used for purposes of individual persecution, but they were not generally applied down to the reign of James I., nor fully developed until the end of the seventeenth century. If an attempt had been made to enforce them generally in the reign of Henry VIII., the civil government could not have been carried on. It must not be forgotten that during the entire of the Tudor period the number of Protestants was inconsiderable; the mass of the present Protestant population represents the plantations of the seventeenth century.

The opponents of the Roman Church in the reign of Henry VIII. were the members of the Council in Dublin, some official bishops, and the Earl of Ossory, who was willing to adopt any religion prescribed by the English Government. The mass of the population were all Roman Catholics; and it is impossible to frame indictments against an entire people. The great majority of offices continued to be filled by Catholics; for, had it not been so, they had remained empty. No questions were asked as to the religious opinions of chiefs who were willing to submit. The opinions and worship of the Desmond, Clanrickard, or Tyrone, were not inquired into until the defeat and confiscation of the last O'Neill, and the arrival of Scotch and English emigrants, enabled these and similar Acts to be put in force. It must be further remarked, that the question of the papal supremacy was not regarded in Ireland as of such vital importance that men should die for it. Even in England the Catholics made no stand upon this point. Prelates like Gardiner and Bonner, zealous Catholics as they were, and even Mary herself, found no difficulty in reconciling this article of their political with their religious creed.\*

The population of Ireland was at this time divided into several distinct parties, each of whom viewed the question of the royal supremacy in a different light.

First, the official bishops and members or instruments of the Council in Dublin, who were fanatically devoted to the doctrine of the king's supremacy, denounced all toleration of Papistical

[\* See Note I., at end of chapter.]



leanings, and would have rooted out those who objected to their favourite dogma, and hesitated to brand the pope as Antichrist. Of the suppression of the monasteries, and plunder of the Church, they were warm advocates, being themselves the receivers of a large share of the booty.

Secondly, sincere Catholics, like Lord Leonard Grey, who honestly acknowledged the king's supremacy, and approved of the suppression of the monasteries to some extent, yet at the same time imagined that their views of Church reform could be carried out without any alteration in the essential doctrines of the Church, or involving the necessity of a schism.

Thirdly, the Catholics of the Pale, who, disapproving the proceedings of the Government, as yet tacitly acquiesced in what was done. In the face of the native population, their existence depended upon the support of England; and therefore, although the most Catholic portion of the population, they offered, until 1584, no more than a passive opposition, and apparently supported the views of the executive.

Fourthly, the chiefs of the native tribes and Hibernicised lords, who were willing to accept the king's supremacy, and share in the plunder of the monasteries. The renunciation of the pope's pretensions was made a necessary article in the submission of the local rulers. None of them seem to have had any hesitation upon this subject. The instruments still remaining are so numerous as to forbid our considering this arrangement less than universal. O'Neill says: "I entirely renounce obedience to the Roman pontiff and his usurped authority, and recognise the king to be the supreme head of the Church of England and Ireland under Christ, and I will compel all living under my rule to do the same. If any provisors shall obtain any faculties or Bulls from the said usurped authority, I will compel them to surrender the same, and to submit themselves unto the ordinance of the king; and if any having like Bulls of provision should wish to surrender them, and receive them from the royal gift, I will humbly implore his Majesty to restore them to their former dignities."\* O'Donnell agrees that he will recognise and accept the king as his liege lord and king, and

\* Carew MSS., Vol. I., p. 188.

renounce the usurped primacy and authority of the Roman pontiff.\* M'Mahon renounces the Roman pontiff's usurped authority. Rory O'Moore rejects the Roman pontiff's usurped authority.† Maguille ‡ annihilates and relinquishes the usurped authority of the Bishop of Rome, and promises that no provisor of the Bishop of Rome should be maintained in his jurisdiction.§ O'Rourke renounces the usurped supremacy of the Roman pontiff.|| The great Barry and others acknowledge his Majesty to be their natural liege lord and king, and to be the supreme head of the English and Irish Church; will obey his deputies, and annihilate the usurped primacy of the Bishop of Rome and his favourers.¶ The Earl of Desmond utterly forsakes the Bishop of Rome and his usurped primacy.\*\*

It may be admitted that few, and least of all the Celtic chiefs, understood the full scope of the doctrine of the royal supremacy; but it is to be remarked that before January, 1541, the date of the earliest of the submissions referred to, they must have had full notice that the pope denounced submission to the king, and called upon all true Catholics to support the Holy See. By a letter, dated the 28th April, 1538, the Bishop of Metz had called upon O'Neill "to suppress heresy and his Holiness's enemies." This letter was intercepted upon the person of Thady O'Berne, who died in prison, in Dublin, on the 24th of July in that year. It is possible the substance of this letter was not published; but certainly in May of the same year the Archbishop of Armagh had received from the pope "a private commission, prohibiting his Grace's Highness's people here in this country to own the king's supremacy." Long before 1541 the priesthood and people of the Pale were in collision with their archbishop upon the express question of the royal supremacy.

The native chiefs and Hibernicised lords had had but little reverence for Church or bishop before the reign of Henry VIII., although they admitted their sacred office and spiritual power; but

\* Carew MSS., Vol. I., p. 183.

† Id., p. 185.

[‡ The name in the heading is given as above, but in the submission itself, no doubt correctly, "Maguyllen."]

§ Carew MSS., Vol. I., p. 186.

|| Id., p. 195.

¶ Id., p. 196.

\*\* Id., p. 174.

for bishops whom they held to be both heretics and servants of the English Crown, they felt no respect whatever ; any religious sentiment they had entertained disappeared in the struggle of the contending Churches ; they did not become ardent Catholics until an intimate connexion with Spain, at the end of the sixteenth century, taught them that the cause of Celtic independence, to be successful, must be united with that of the Catholic Church. It is remarkable that during the whole Tudor period there were but two rebellions in which the question of religion was the main and real object—the landing of Sir James Fitzmaurice in 1584, and the almost contemporary insurrection of the Lord Viscount Baltinglas ; and of all the insurrections of the sixteenth century, these were the most utter failures.

Fifthly, the mass of the population, which, though untouched by the doctrines of the Reformation—which, in fact, were never preached to them—had neither sufficient union among themselves nor religious zeal to attempt any Catholic rising ; as far as religious questions were concerned, they would have been perfectly contented if simply left alone. But the Government, without the slightest attempt at the promulgation of the doctrines which it declared to be the Christian verity, suppressed the only religion with which the lower orders were acquainted, proscribed the devoted men who sought to keep that faith alive among them, and pursued a policy the only result of which was to destroy all religion throughout the country districts.

The Reformed Church at the same time allowed itself to be identified, or rather was identical, with a government whose avowed object was to suppress all nationality and to Anglicise the entire island. The result of the suicidal policy of England was at length to force the Irish population “ to hate the doctrines promulgated by the English bishops, to whom they had never been accustomed to listen, and with whose residence among them they had associated much of their miseries and misfortunes. If Irish Catholics had been lukewarm before, this alone was enough to inflame their zeal in defence of their ancient faith ; to bring out in prominent relief the Papistic tendencies of Ireland ; to induce them to regard their priests, whether of their own nation or other nations, with a veneration and respect they had never paid to their chiefs ; to cling



with an unalterable attachment to a class of men who, like themselves, had been exposed to the hostility of England, and had drunk like themselves of the same cup of persecution. So the cause of the priesthood became the cause of the nation. Their nationality was bound up with their faith"—Catholicism became identified with the national cause in Ireland, just as Protestantism, for the same reason, but to a less extent, became identified with the national cause in Hungary, or Presbyterianism with the national cause in Scotland.

It took many years to develop the results of a policy as injurious to the cause of the Reformation as it was unjust to the Catholics of Ireland; but, whether voluntarily acquiesced in, or passively submitted to, the royal supremacy was, in fact, exercised by Henry VIII. throughout the greater part of the country. When the chiefs submitted to the Crown, and participated in the confiscation of the monasteries, the secular clergy, not yet supported by the mass of the people, possessed little power of resistance. In 1542, Desmond made suit to the king to have the bishopric of Emly given to a priest named by him. In 1543, the Bishop of Clonfert requests that the bishopric of Elphin should be annexed to his diocese; in the same year, O'Brien agrees to reserve in Thomond to the king the gift of all bishoprics; in the same year the Bishop of Clogher surrendered his Papal Bull, and took a grant of the bishopric from the Crown. The Bishop of Clonfert had done the same the previous year. In the latter period of the reign, the four archbishops, the bishops within the Pale, and at least five beyond the limits of the Pale, admitted the royal supremacy.

The Act of the king's supremacy was followed, not by a decrease, but by an extension of the English influence, and a remarkable docility on the part of the native chiefs. In 1546, the Earls of Tyrone, Desmond, and Thomond, with the Fitzpatrick, O'Connor, O'Mulmoy, O'Carrol, M'Geoghegan, and other native chiefs, were assembled in Dublin, and sent a Latin letter to the king, in which they write—"Returning thanks under God to your Majesty, we acknowledge that there lives not in Ireland any, were he of the age of Nestor, who has seen the country in a more peaceable condition; and although we, who have hitherto by distinction been usually called Irish, do not as yet answer to right and law as

exactly as the others, who from their cradles and earliest infancy have been well educated in the same ; nevertheless, with our utmost efforts we strive to attain unto them, (and) we call God to witness that we acknowledge no other king or lord on earth except your Majesty."\*

It was not the parliamentary enactments which irritated the mass of the people. It was the continued and wanton interference in the mode and form of religious worship, and the manner in which it was attempted to force the Reformed Church upon the country. It must be borne in mind that the statutes did no more than dissolve the monastic houses, and establish the royal supremacy ; but they made no change whatsoever in the doctrine, law, or ceremonies of the Church. All the violent measures taken for the destruction of shrines and images, the abolition of pilgrimages, the introduction of a new and English ritual, were simply illegal, or were warranted only by the most exaggerated application of the doctrine of the royal supremacy.

The object of those who opposed the papal supremacy was to free, not to enslave the Church ; they desired that ecclesiastical appointments should be no longer given to foreigners or anticipated by provisions, that the Roman Court should cease to draw large revenues out of the country, and that questions of ecclesiastical law should be settled like other lawsuits in England itself ; by the declaration of the king's supremacy they substituted a domestic tyranny for a foreign interference.

Between the contending religious parties in England an umpire was requisite ; some arbitrator must have mediated between or restrained both of them, if civil war and disorder were to be prevented. This duty was assumed by the king ; circumstances forced him ; his own violent temper urged him to assume it, and, as head of the Church, to claim and exercise powers which the Papacy in the time of its greatest influence had never pretended to possess. He authoritatively laid down what was Christian doctrine, and although not claiming infallibility, punished those who did not agree in his theological opinions. If Catholics, who refused the oath of supremacy, were executed as traitors, Protestants, who

\* State Papers, Ireland, Vol. II., Part 3, p. 562.

willingly took it, were burnt as heretics for disbelieving the doctrine of transubstantiation. The government of the Church during the Tudor period has no parallel, except that of the early Christian emperors, who vacillated between orthodoxy and Arianism, when half the Christian Church was alternately persecuting or persecuted as the legal articles of Christian truth varied from day to day, according to the speculations of a soldier, the sentiment of an empress, or the intrigues of a eunuch.

The religious despotism, which the condition of England rendered inevitable, if any public order was to be maintained, was now to be extended to Ireland, where its introduction was simply mischievous. The oath of supremacy was intended to test whether those to whom it was tendered were in the struggle then raging for the king or for the pope; for its introduction there was a reasonable excuse. But the king went further. In a country where there were no religious differences, no hostile sects, where no one raised any question as to the doctrines or ceremonies of religion, the king, sitting in London, surrounded by his English Council, was to alter and modify the creed and forms of the Church, according to his varying views on the subjects, and treat as traitors all those who did not hail with applause acts which were to them outrages on all they held sacred. The storm fell upon the Catholics, because the population of Ireland was then exclusively Catholic; there had been Protestant martyrs, had there been Protestants to burn.

Once only before had any sovereign attempted such a project, and on a far wider scale than Henry's proceedings in Ireland—the Isaurian emperors, when they proscribed image worship in the Eastern Church. The remarks of Dr. Milman upon the Emperor Leo are exactly applicable to Henry VIII. :—"The eighth century gave birth to a religious contest, in its origin, in its nature, and in its important political consequences, entirely different from all those which had hitherto distracted Christendom. Iconoclasm was an attempt of the Eastern Emperor to change, by his own arbitrary command, the religion of his subjects. *No religious revolution has ever been successful which has commenced with the Government.* Such revolutions have ever begun in the middle or lower orders of society, struck on some responsive chord of sympathy in the general



feeling, supplied some religious want, stirred some religious energy, and shaken the inert strength of the established faith by some stronger counter-motion. Whatever the motives of the Emperor Leo the Isaurian, the attempt was as impolitic, unwise, and unseasonable, as the means employed were despotic, and altogether unequal to the end. The time was past, if it ever had been, when an imperial edict could change, or even much affect, the actual prevailing religion of the empire. For this was no speculative article of belief—no question of high metaphysical theology—but a total change in the universal popular worship, in the spirit and in the essence, if not of the daily ritual, and countless observances and habitual practices of devotion. It swept away, from almost all the Churches of the Eastern Empire, objects hallowed by devotion, and supposed to be endowed with miraculous agency—objects of hope and fear, of gratitude, and immemorial veneration. It not merely invaded the public church, and left its naked walls without any of the old remembrances of faith and piety; it reached the private sanctuary of prayer. No one could escape from its proscription—learned or unlearned, priest or peasant, monk or soldier, clergyman or layman—man, woman, and even child, were involved in the strife. Something to which their religious attachments clung, to which their religious passions were wedded, might at any time be forcibly rent away, insulted, trampled under foot. That which had been their pride and delight could only now be furtively visited, and under the fear of detection. In all the controversies, moreover, in which the emperors had been involved, whether they had plunged into them of their own accord, or had been compelled to take a reluctant part—whether they embraced orthodox or heterodox opinions—they had found a large faction, both of the clergy and of the people, already enlisted in their cause. *In this case they had to create their own faction*; and though so many of the clergy, from conviction, fear, or interest, became Iconoclasts, as to form a council respectable for its numbers—though among some part of the people an Iconoclastic fanaticism broke out, yet it was no spontaneous movement on their part. The impulse, to all appearance, emanated directly from the emperor. It was not called by any expression of aversion to the existing superstition—by any body of the clergy, or by any single bold reformer. It was announced—it was enacted in that character

of supreme head of the empire, which was still supposed to be vested in the Cæsar, and had descended to him as part of his inheritance from his pagan predecessors. The sovereignty comprehended religious as well as temporal autocracy. And there was this irremediable weakness in the cause of Iconoclasm—it was a mere negative doctrine, a proscription of those sentiments which had full possession of the popular mind, without any strong countervailing religious excitement. There was none of that appeal to principles like those of the Reformation, to the Bible, to justification by faith, to the individual sense of responsibility. The senses were robbed of their habitual and cherished objects of devotion; but there was no awakening of an inner life of intense and passionate piety. The cold, naked walls from whence the scriptural histories had been effaced, the despoiled shrines, the mutilated images, could not compel the mind to a more pure or immaterial conception of God and the Saviour. It was a premature rationalism enforced upon an unreasoning age—an attempt to spiritualise by law and edict a generation which had been unspiritualised by centuries of materialistic devotion. Hatred of images in the process of the strife might become, as it did, a fanaticism: it could never become a religion. Iconoclasm might proscribe idolatry, but it had no power of kindling a purer faith.”\*

Had the enemies of the Reformation been consulted, its doctrines could not have been introduced into the country in a manner more calculated to render success impossible, or to insult and alienate the feelings of the people. In Ireland no Luther assailed all sacraments, forms, and indulgences, leaving his hearers no refuge save the unbounded mercy of God; no Latimer, fired with holy indignation, denounced the sins of the rulers of the nation; no Tyndal scattered through the land the Bible, and opened to all classes the great volume of Christian teaching; no one spoke of truth, sobriety, and judgment to come; no St. Francis, suffering himself for and among the people, disclosed the ineffable love and mercy of God. None such appeared in Ireland, where the Reformation was first introduced by a Crown-appointed bishop, a mere English official tool, whose writings, conduct, and actions were

\* “History of Latin Christianity,” B. 4, Chap. vii., Vol. 2, p. 339.

admirably adapted to discredit the principles and mar the success of the Reformation in Ireland. By this one man's subserviency to the Crown, his devotion to English interests, his uncharitableness, his officialism, his constant appeal to authority and recourse to violence, the Reformed Episcopal Church was poisoned and blasted upon its first planting. Of all the opponents of the reformed doctrine in Ireland, none did it so much mischief as George Browne, the first Archbishop under the Crown of the See of Dublin.

George Browne had been an Augustinian friar, and Provincial of the order in England; originally educated in the house of his order at Holywell, Oxfordshire, he obtained his degree as Doctor of Divinity in a foreign university, and was, in 1534, admitted to the same degree in Oxford, and subsequently in Cambridge. By the king's special recommendation he was elected by the chapters of Christ Church and St. Patrick to the See of Dublin, left vacant by the murder of Archbishop Alen, and had the royal confirmation on the 12th March, 1535. He is stated to have previously made himself remarkable by preaching the doctrine of the Reformation; but if he had attached himself to that party, he had acquired but little of the spirit of Colet or Latimer. He was despatched to Ireland to carry out the two great objects of Cromwell's policy—the establishment of the king's supremacy, and the purification of the Church, by the dissolution of the monasteries, and, as it was described, “the plucking down of idols and extinguishing of idolatry.” Further reformation he does not seem to have conceived; and the grounds proposed by him for such alterations in the Church were not the principles of morality, or the teaching of the Scriptures, but simple obedience to the will of the sovereign and the enforcement of the statute law.

To judge fairly a man who professed and acted upon opinions so repugnant to both the supporters of the old and of the new Church—to all who believe that religion is something beyond and above all human law, for which human laws must often be disregarded, and civil rulers disobeyed—we must have recourse to the letters which he has left us, wherein he fully exhibited his character and his convictions. On his first arrival, he at once maintained the doctrine of the king's supremacy, as well temporal as spiritual, although no Act of Parliament had then been passed by the Irish



Parliament on that subject, nor does he seem even to have then contemplated anything further, acting probably upon the sentiment afterwards expressed by Bale—"If England and Ireland be under one king, they are both bound to the obedience of one law under him." His efforts were approved and quickened by a letter from Cromwell, who stated that the king was fallen absolutely from Rome in spiritual matters within his dominions of England, and how it was his royal will and pleasure to have his subjects then in Ireland to obey his commands there as in England. In reply to this the archbishop wrote:—"My most honoured lord, your poor servant, receiving his mandate as one of his Highness's Commissioners, both endeavoured, almost at the danger and hassard of this temporal life, to procure the nobility and gentry of this nation to due obedience in owning of his Royal Highness their supreme head, as well spiritual as temporal, and found much oppugning therein, especially by my brother Armagh, who has been the main oppugner, and so hath withdrawn most of his suffragans and clergy within his See and jurisdiction. He made a speech to them, laying a curse on the people whosoever should own his Highness's supremacy, saying, that isle, as it is in their Irish chronicles '*insula sacra*,' belongs to none but the Bishop of Rome, that gave it to the king's ancestors. There be two messengers, by the priests of Armagh and by the archbishop now lately sent to the Bishop of Rome. Your lordship may inform his Highness that it is convenient to call a parliament in this nation to pass the supremacy by Act, for they do not much matter his Highness's commission, which your lordship sent us over. This island hath been for a long time held in ignorance by the Romish orders; and as for their secular orders, they be as ignorant as the people, being not able to say mass or pronounce the words, they not knowing what they themselves say in the Roman tongue. The common people of this isle are more zealous in their blindness, than the saints and martyrs were in truth at the beginning of the Gospel. I send to you, my very good lord, these things, that your lordship and his Highness may consult what is to be done.'"

\* The Letters, &c., of Archbishop Browne referred to in this chapter are to be found in Mant's "History of the Church of Ireland," Chapter ii.

This letter discloses what task the archbishop laid before him—not the preaching of the Gospel to the people, not the diffusion of light and education, but the establishment of the king's supremacy; and so little did he understand his position, that he treats as oppugners those who resisted him when he attempted to introduce a doctrine for which, as the law then stood, he might have been convicted as a heretic.

In accordance with the archbishop's suggestion, or rather as the only legal means of carrying the desired object, the parliament of 1537 was held by Lord Leonard Grey. Upon the debate upon the Supremacy Bill, the archbishop addressed to the House the following speech:—"Behold, your obedience to your king is the observing of your Lord and Saviour Christ: for He, that High Priest of our souls, paid tribute to Cæsar, though no Christian. Greater honour, then, surely is due to your prince, his Highness the king, and a Christian one.

"Rome and her bishops, in the fathers' days, acknowledged emperors, kings, and princes to be supreme over their dominions, nay, Christ's vicars; and it is much to the Bishop of Rome's shame to deny what the precedent bishops owned. Therefore his Highness claims but what he can justify the bishop Eleutherius gave to Saint Lucius the first Christian king of the Britons; so that I shall, without scrupling, vote his Highness King Henry my supreme over ecclesiastical matters, as well as temporal, and head thereof, even of both isles, England and Ireland; and that without guilt of conscience, or sin to God. And he who will not pass this Act as I do is no true subject of his Highness."

The point of the last sentence could be appreciated by those under the government of the Tudor princes. The spiritual peers, who had passed the Act of the king's supremacy, were not equally compliant as to the Acts which disaffected their own incomes; the parliament had to be dissolved, and the opposition of the proctors of dioceses extinguished by a special Act, which deprived them of the power of voting. In the course of the year 1537 the archbishop fell under the displeasure of the king, who by a letter of the 31st July, 1537, taught him what was the position of a prelate under the system of royal supremacy. "We greet you well. Signifying unto you, that whereas before your promotion and advancement to

that order, dignity, and authority of an archbishop, ye shewed an appearance of such entire zeal and affection, as well to the setting forth and preaching the sincere Word of God, and avoiding of all superstition, used against the honour of the same, as to employ yourself always diligently for your part to procure the good furtherance of any our affairs, as much in you lay, and might appear to be to our contentment and satisfaction, that thinking your mind to be so earnestly fixed upon the same, that you would persevere and continue still in that your good purpose; yet nevertheless, as we do both partly perceive, and partly by sundry advertisements and ways be informed, the good opinion that we had conceived of you is, in manner, utterly frustrate. For neither do ye give yourself to the instruction of our people there in the Word of God, nor frame yourself to stand us in any stead for the furtherance of our affairs. Such is your lightness in behaviour, and such is the elation of your mind in pride, that glorying in foolish ceremonies, and delighting in 'we' and 'us,' in your dream comparing yourself so near as a prince in honour and estimation, that all virtue and honesty is almost banished from you. Reform yourself, therefore, with this gentle advertisement, and do first your duty towards God in the due execution of your office; do then your duty towards us, in the advancement of our affairs there, and in the signification hither from time to time of the state of the same; and we shall put your former negligence in oblivion. If this will not serve to induce you to it, but that ye will still so persevere in your fond folly and ingrate ungentleness, that ye cannot remember what we have do, and how much above many others ye be bound, in all the points before touched, to do your duty, let it sink into your remembrance that we be able for the not doing thereof to remove you again, and to put another man in your place, both for our discharge against God, and for the comfort of our good subjects there, as we were at the beginning to prefer you, in hope that you would in the same do your office, as to your profession, and as our opinion conceived of you appertaineth."

In reply, the archbishop acknowledges the receipt of the king's letter "which," he writes, "perused did not only make me to take fruitful and gracious monition, but also made me to tremble in body for fear of incurring your Majesty's displeasure. And where



your Majesty writeth unto me, I have not endeavoured myself in setting forth and preaching the sincere Word of God, avoiding all superstitions used against the honour of the same, I may signify unto your Highness, of verity, that for my small abode here, there hath not these many years any of my predecessors so much exercised in declaring to the people the only Gospel of Christ, persuading and inducing the hearers unto the true meaning of the same, utterly despising the usurped power of the Bishop of Rome, being a thing not a little rooted among the inhabitants here. Touching the Second Article in your Grace's letter, concerning your Majesty's affairs here, refer me to judgment of the most part of your Highness's Council here, how in that behalf I have used myself, being the first spiritual man that moved the twentieth part and first fruits, setting forth what in me lay, the like first fruits of all monasteries being before not motioned. Beseeching your Highness, of your most accustomed goodness, to accept this, my rude letter; answerable even as I were personally doing my duty—preaching on knees before your Majesty; declaring the certainty of all the premises with knowledging my ignorances, desiring of God, that hour or minute I should prefix my title and declare the Gospel of Christ after any other sort than of my part most unworthy have heretofore done before your Majesty, in rebuking the Papistical power, or in any other part concerning the advancement of your Grace's affairs should not be prompt to set forth benignly, that the ground should open and swallow me up."

In this letter the archbishop describes his own position, not the august ruler of a national Church, but a Government official, to be made and unmade at the pleasure of the Crown, whose duty, as a priest, was to preach the Gospel with the view of establishing the king's supremacy, as a civil servant of the Crown, to further such measures as might fill the exchequer. Abstinence from public affairs he could not be charged with; he regularly sat in the Council, where he attached himself to Chancellor Alen, with whom he co-operated in giving "the king significance from time to time of the State affairs," by constant letters in which every deputy was depreciated, and every possible scandal reported. As might be expected, he quarrelled with all he came in contact with, not excepting Staples, the Bishop of Meath, the only prelate who went

with him in his ecclesiastical policy. Stimulated by the king's letters, he attempted to compel the clergy to preach the doctrine of the king's supremacy, and to remove relics and images from his cathedral ; and he soon found himself involved in difficulties which should have taught him that the opinions of the masses cannot be altered by Acts of Parliament. As soon as he came directly in conflict with the religious habits of the people, he provoked the hostility of the moderate Catholics, who, approving of the royal supremacy and the dissolution of the monasteries, were not inclined to go further on the road of reformation. On the 8th of January, 1538, he writes to Cromwell—"It may please your lordship to be advertised, that within the parties of Ireland, which grieveth me very sore, yea, and that within the Diocese of Dublin, and province of the same, where the king's power ought to be best known, where it hath pleased his most excellent Highness, through your good lordship's preferment, to make me under his Grace a spiritual officer and chief over the clergy ; yet, notwithstanding, neither by gentle exhortations, evangelical instructions, neither by oath of them solemnly taken, nor yet by threats of sharp correction, may I persuade or induce any, either religious or secular, since my coming over, once to preach the Word of God, *or the just title of our most illustrious Prince.*

"And yet before that our most dread sovereign was declared to be, as he ever was indeed, supreme head of the Church, committed unto his princely care ; they that then could and would, very often, even until the right Christians were weary of them, preach, after the old sort and fashion, will now not once open their lips in any pulpit but for the manifestation of the same, but in corners, and such company as them liketh, they can full earnestly utter their opinions ; and so much as in them lyeth, hinder and pluck back, amongst the people, the labour that I do take in their behalf. And yet they be borne against me, and especially the Observants, which be the worst of all others ; for I can neither make them swear ne preach amongst us, *so little regard they my authority.*

"And this cometh as I may judge of the extreme handling that my Lord Deputy hath used towards me, what by often imprisonment, and also expelling me my own house, keeping there no hospitality at all and so contemptuously he vilipendeth me, that I take God

to record, I had, but that hope comforteth me, rather forsake all than abide so many ignominious reproaches. But if your lordship would, for the good love and mind you bear unto the mere and sincere doctrine of God's Word, and also unto the advancement and setting forth of our most excellent prince's just title, send either unto Master Treasurer, the Chief Justice, the Master of the Rolls, or any two of them whom I think meet for that purpose, such a strict commandment over me and all other ecclesiastical persons, as I perceive the king's Grace has sent of late into England to the sheriffs of every shire; I would, God willing, so execute my office, and push other forward that be underneath me, that his Grace and your lordship should well allow my faithful heart and diligent service. For that until such a thing, or more vehement, come amongst us, it is but vain to look after any amendment here, but always expectation of the former abuses. And to prove the same, there is never an archbishop or bishop, but myself, made by the king, but he is repelled, even now, by provision. Again, for all that ever I could do, might I not make them once, but as I send my own servants to do it, to cancel out of the canon of the mass or other books, the name of the Bishop of Rome; whereby your lordship may perceive that my authority is but little regarded."

The archbishop's irritation against the Irish, lay and clerical, breaks out in a letter of 8th April, 1538—"The people of this land be zealous, yet blind and unknowing, most of the clergy, as your lordship hath had of me before, being ignorant, and not able to speak right words in the mass or liturgy, as being not skilled in the Latin Grammar, so that a bird might be taught to speak with as much sense as several of them do in this country; these sorts, though not scholars, yet crafty to cozen the poor common people and *to dissuade them from following his Highness's orders*. George, my brother of Armagh, doth, underhand, occasion quarrels, and is *not active to execute his Highness's orders in his diocese*. I have observed your lordship's letters of commission, and do find several of my pupils leave me for so doing. I will not put others in their livings till I do know your lordship's pleasure; for it is meet I acquaint you first. The Romish reliques and images of both my cathedrals in Dublin took off the common people from the true



worship; but the prior and the dean find them so sweet for their gain, that they heed not my words. Therefore send in your lordship's next to me an order more full, and a chide to them and their canons, that they might be removed. Let the order be, that the chief governor may assist me in it. The prior and the dean have written to Rome to be encouraged; and if it be not hindered before they have a mandate from the Bishop of Rome, the people will be bold, *and then tug long before his Highness can submit them to his Grace's orders.* The country folk here much hate your lordship, and despitefully call you in the Irish tongue the Blacksmith's Son."

In the following May the archbishop evidently foresaw the danger of a union between the Celtic and English natives upon a religious basis. He writes to Cromwell: "His Highness, the viceroy of this nation, is of little or no power with the old natives; therefore your lordship will expect of me no more than I am able. This nation (*quære* the English of the Pale) is poor in wealth, and not sufficient now at present to oppose them. It is observed that ever since his Highness's ancestors had this nation in possession, the old natives have been craving foreign powers to assist and rule them. And now both English race and Irish begin to oppose your lordship's orders, and do lay aside their national old quarrels, which I fear will, if anything will, cause a foreigner to invade this nation. I pray God I may be a false prophet, yet your good lordship must pardon mine opinion, for I write it to your lordship as a warning." This letter was caused by a discovery that a form of oath was being distributed through the country resembling that afterwards taken by the French Leaguers.

In the strife between Henry VIII. and the Papacy, it was impossible to recede; it was believed that success lay in carrying things out with a strong hand. The *Baculum Jesu*, the Sacred Staff of St. Patrick, was publicly burnt in Dublin—the images were displaced, and in their room the cathedral was ornamented with the Creed, the Lord's Prayer, and the Commandments, "decently framed and ornamented." The Holy Rood of Ballybogan was publicly burnt, as also the image of the Virgin at Trim, and the offerings at these shrines taken away. The breach grew wider between the archbishop and the moderate Catholics. At the

lord deputy's board the Vicar of Chester stated that the king's Majesty had commanded that the images should be set up again, while the deputy sat silent. The archbishop, Lord Butler, and the Master of the Rolls said—"That if he were in any other place, out of the deputy's presence, they would put him fast by the heels, and that he had deserved grievous punishment. His lordship kept his tongue, and said nothing all the while. Surely he hath special zeal to the Papists. My Lord of Dublin promised me, at my departure out of Dublin, to put the said Vicar in the Castle."\*

Alen writes, on October 20, 1538: "Here was a bishop and friar put in the Castle of Dublin for their high and notorious offences against the king's Majesty, and at the last sessions were brought to Trim, to have been indicted, arraigned, and suffered accordingly. Yet our masters of the law, and all other (in good faith, except my Lord Treasurer, and very few besides) be such Papists, hypocrites, and worshippers of idols, that they were not indicted; whereat my Lord of Dublin, Mr. Treasurer, and the Master of the Rolls, were all very angry. Howbeit they could not remedy it. They three would not come in the chapel, where the idol of Trim stood, to the intent that they would not occasion the people. Notwithstanding, my lord deputy, devoutly kneeling before her, heard three or four masses."

The archbishop attempted to compel the clergy to preach the doctrine of the royal supremacy by issuing under his seal, as ordinary, a document, entitled "The Form of the Beads," or prayers, to be read after mass to the people, directing them what they should pray for. This remarkable document is an official declaration by the archbishop of the object of his teaching, and an evidence of the arguments by which he essayed to convert his hearers. It is so remarkable that it deserves to be cited *in extenso*. "Ye shall pray for the Universal Catholic Church, both quick and dead, and especially for the *Church* of England and Ireland. First for our sovereign lord the king, supreme head on earth, immediate under God, of the said *Church* of England and Ireland. And for the declaration of the truth thereof, ye shall understand that the

\* Lord Butler to Cromwell. State Papers, Ireland, Vol. III., Part 3, p. 95.

† State Papers, Ireland, Vol. III., Part 3, p. 103.

unlawful jurisdiction, power, and authority of long time usurped of the Bishop of Rome in England and Ireland, who was then called pope, is now by God's law justly, lawfully, and upon good grounds, reasons, and causes, *by authority of Parliament*, and by and with the whole consent and agreement of all the bishops, prelates, and *both the Universities of Oxford and Cambridge*, and also the whole clergy, both of England and Ireland, extinct, and ceased for ever, as of no strength, value, or effect in the Church of England and Ireland. In the which Church the said whole clergy, bishops, and prelates, with the Universities of Oxford and Cambridge, have, according to God's law, and upon good and lawful reasons and grounds, acknowledged the king's Highness to be supreme head on earth immediately under God of the Church of England and Ireland, which the knowledge confessed being now by Parliament established, and by God's laws justifiable to be justly executed, so ought every true Christian subject of this land not only to acknowledge, and obediently recognise the king's Highness to be supreme head on earth of the Church of England and Ireland, but also to speak, publish, and teach their children and servants the same, and to show unto them how that the said Bishop of Rome hath heretofore usurped, *not only on God, but also upon our princes*. Wherefore, and to the intent that ye should the better believe me herein, and take and receive the oath as you ought to do; I declare this unto you, not only of myself, which I know to be true, but also declare unto you that the same is certified unto me from the might of my ordinary, the Archbishop of Dublin, which I have here ready to show you; so that now it appeareth plainly that the said Bishop of Rome hath neither authority nor power in this land, nor never had by God's laws: therefore I exhort you all that you deface him in all your primers and other books, where he is named pope, and that you shall have from henceforth no confidence nor trust in him, nor in his Bulls nor letters of pardon, which beforetime with his juggling casts of binding and loosings he sold unto you for your money, promising you, therefore, forgiveness of your sins, where of truth no man can forgive sins, but God only; and also that ye fear not his great thunderclaps of excommunication or interdiction, for they cannot hurt you; but let us put our confidence and trust in our Saviour Jesus Christ, which is gentle and loving, and requireth nothing of



us when we have offended him, but that we should repent and forsake our sins, and believe steadfastly that he is Christ the Son of the Living God, and that he died for our sins, *and so forth as is contained in the Credo*; and that through him and by him, and by no other, we shall have remission of our sins *a pœnâ et culpâ*, according to his promises made to us in many and divers places of Scripture. On this part also ye shall pray for the prosperous estate of your young prince, Edward, with all other the king's issue and posterity, and for all archbishops and bishops, and especially for my Lord Archbishop of Dublin, and for all the clergy, and namely, for all them that preacheth the Word of God purely and sincerely. On the second part ye shall pray for all earls, barons, lords, and especially for the estate of the Right Hon. Leonard Grey, lord deputy of the land of Ireland, and for all them that be of the king's most honourable Council, that God may put them in mind to give such counsel that it might be to the pleasure of Almighty God, and wealth of the land. Ye shall also pray for the mayor of this city and his brethren, with all the commonalty of the same, as for the parishioners of this parish, and generally for all the temporality. On the third part ye shall pray *for the souls that be departed out of the world* in the faith of our Saviour Jesus Christ, which sleep in rest and peace, that they may rise again, and reign with Christ in eternal life; for these and for grace every man may say a *Pater Noster* and an *Ave*.\*

The mode in which this attempt to compel the clergy to preach doctrines which they did not believe was met by them appears from the archbishop to the Lord Cromwell, dated the 8th May, 1538:—"On the first Sunday in May, being with us the translation of St. Owen, in whose church a prebendary of St. Patrick's, named Humphrey, of whose nature and condition I have partly declared unto your lordship heretofore, the very occasion and author of the vilipension and contempt that I am in, besides discord and debate sown between me and my friends; this man, singing high mass as that day, because that he is their parson, at the time when that the beads is customarily read, after the form and manner as I have devised and set them forth for all curates, he himself thought scorn

\* State Papers, Ireland, Vol. II., Part 2, p. 564.

to read them. Wherefore his parish priest, according unto his oath, went up into the pulpit, and there began to read them unto the people. He had unnethes read a three or four lines, but the parson began the preface, and the choir sung, insomuch that the beads were unbidden, and certain of the parish presented it to me. Then I considered this man, first how that he did himself stick to swear unto the king, and also moved other the same ; seeing him also contemning my articles devised for the furtherance of God's Word and *the advancement of our sovereign's title of supremacy*, being one of my chief church, promoted also within the city so near hand me, I could no less do, but committed him unto ward, until I heard further of the king's pleasure. They be in a manner all at the same point with me. There is an twenty-eight of them, and amongst them all there is not three learned of them, nor yet scarce one that favoureth God's words. Your lordship might do a good deed to have a little thing put in practice with them, and that is *de non idoneis removendis*, else it is but vain for me or any other to take pains in our prince's causes."

The mode in which the archbishop preached in the country parts of his diocese is equally remarkable, and probably equally unsuccessful. The Council write from Clonmel to Lord Cromwell on the 18th January, 1539:—"It may please the same to be advertised that like as part of us did write unto your lordship before Christmas how we would in the same vacant time repair unto these parts, not only for publishing of the king's injunctions, setting forth of the Word of God, and *the king's supremacy*, together with the plucking down of idols, and the extinguishing of idolatry, and *the Bishop of Rome's authority*, but also as well for *levying of the first fruits and twentieth part*, with other the king's revenues in these four shires above the Barrow, as keeping of sessions, and redress of the people's complaints here ; according whereunto we resorted first to Carlow, where the Lord James Butler kept his Christmas, and there being very well entertained, from thence we went to Kilkenny, where we were no less entertained by the Earl of Ormond. There, on New Year's Day, the Archbishop of Dublin preached the Word of God, having very good audience, publishing the king's said injunctions, and the king's translation of the *Pater Noster*, *Ave Maria*, the Articles of the Faith (*quære* the Six Articles),

and Ten Commandments, in English ; divers papers whereof we delivered to the bishop and other prelates of the diocese, commanding them to do all the like through all their jurisdictions. The morrow after we kept sessions there, when were put to execution certain malefactors, some for felonies, others for murders by them committed, and divers other things presented for redress, whereof process is directed for the apprehending the offenders. The Saturday following we repaired to Ross. There, the morrow after, the said archbishop preached, which done, that night we went to Wexford, where the same archbishop preached on the Epiphany day, having a great audience, publishing the said injunctions, and doing all things there as we did at Kilkenny. The next day we kept the sessions there, making like inquiry as we did at Kilkenny, and some malefactors were likewise put to execution, and divers other presentments made there. And the Saturday following the Epiphany we came into Waterford, where the mayor and his brethren during our abode both well entertained us, and used themselves obediently in conforming themselves unto our orders and directions. There the Sunday my lord of Dublin preached, having a very great audience, where also we published the king's said injunctions, and the residue of his pleasure likewise, as we did in Kilkenny, Ross, and Wexford. The day following we kept a sessions there, both for the shire and the city, where was put to execution four fellows, accompanied with another thief, a friar, whom among the residue we commanded to be hanged in his habit, and so to remain upon the gallows for a mirror to all other his brethren to live truly."\*

Could a country be evangelised by a progress which equally resembled a gaol delivery and an episcopal visitation, wherein the archbishop and hangman played their part alternately ? What men ever surrendered the opinions in which they had been brought up upon the command of a distant sovereign, or the *ipse dixit* of a foreign archbishop ? Yet no arguments were addressed to the people except Acts of Parliament, the authority of the English universities, and charges authenticated by the archiepiscopal seal. If the Catholics had cause to complain of the measures of the

\* State Papers, Vol. III., Part 3, Ireland, p. 111.



archbishop, double reason of complaint had all true reformers against him ; he lowered the position of the Church, accepted the office of a mere hireling of the Crown, involved the progress of the Reformation with that of English influence, rendered the nation hostile to Lutheran doctrines, and prejudiced the people against the preaching of Protestantism. He was the model of the bishops of the Tudor period, who involved their Church in difficulties and discredit, from which neither the learning of an Usher nor saintly life of a Bedel could extricate it.

The position of Archbishop Browne and his school is fairly described by Mr. Brewer :—"In vain the highest ecclesiastical preferments in Ireland were offered to the most able and uncompromising advocates of the new doctrine (*sed quære*). Few in number, unaided by their clergy, coldly supported in general by the deputy, the cardinal doctrine (the royal supremacy) fell unheeded from the lips of a few right reverend preachers. Received with menaces and defiance even in the Cathedral of Dublin, guarded as it was by the deputy and his soldiers, it found no hearers beyond those walls ; it made no proselytes. Sick of the fruitless attempt, Protestant bishops yielded to the storm of opposition they encountered, and either were silent altogether, or only roused into occasional exertion by a sharp rebuke from England.

"The letters of Browne, the Archbishop of Dublin, an active promoter of Protestant doctrine (*quære*), furnish a most curious and striking illustration of this subject. Originally an Augustinian friar and Provincial of his order, Browne had embraced the Reformation. Supported mainly by Cromwell, Browne had taken possession of his diocese with a fixed resolution to denounce the ancient religion and the orders in which he had been brought up. Such a task would have been formidable to a man of greater prudence, forbearance, and wisdom than Browne. He soon got involved in disputes with his clergy, in disputes with the lord deputy, in disputes with Dr. Staples, the Bishop of Meath, the only other vigorous champion of the Protestant religion in Ireland besides himself. But even he felt after a time the enervating influence of his position ; and resolute and active as he was, he began to fold his arms.\* Nor were the inferior clergy qualified by their

learning, zeal, or ability, to supply the defects of their superiors ; during the latter years of Henry VIII., and at the commencement of Elizabeth's reign, many of the clergy of England had been deprived of their livings ; very few of the more eligible in point of morals or learning were likely to expatriate themselves, and accept benefices in Ireland. There was nothing in the state of the country, still less in the provision made for the spiritual wants of people, to induce men to sacrifice utility, comfort, ease, and society at home, for missionary exertions among the native or Anglican Irish ; for this service the English Church had no class of men like the friars ; none who, devoted to peril, hardship, and poverty, were willing to sacrifice themselves to an arduous service with the same zeal, fearlessness, and self-denial, as did these barefooted emissaries of the pope. Certain it is, whatever be the cause, that the missionary spirit of the Church of Rome formed a striking contrast to the absence of that spirit at the new birth and infant career of Protestantism (in Ireland) ; consequently, as the new faith was rarely to be found among the native Irish, those of the clergy in England who could be induced to take livings in Ireland were neither the best nor the most eligible for the task. Either they were men who had no sufficient recommendation for character or attainments to succeed in England ; or, dissatisfied with the English hierarchy and the discipline of the English Church, they carried with them more religious zeal than discretion into their new sphere of action, and were the least fitted to propagate their faith among their new and refractory flocks."\*

Meanwhile the pope kept up his claim to the supremacy of the Church, by appointing bishops to Irish sees. To judge of the position of such appointees, it must be remembered that neither the theory of the Church of Rome nor the government of the Tudors could admit the possibility of dissent. As there could be but one king, it seemed to both that there could be but one Church in the State, and one bishop in each diocese. The bishop appointed by the king was not merely the spiritual head of those who believed in the doctrine of the Church over which he pre-

\* Carew MSS., Vol. II., p. 23.

sided, but the sole legitimate head of all the Christians in his diocese, the sole centre from which flowed the succession to all priests, and sanction and authority to sacraments—a judge exercising a definite jurisdiction according to canon, and dispensing, by the authority of the Church, pardons, licences, and dispensations. An Anglican, Greek, and Roman bishop can, and now often do, coexist in the same diocese, because they tacitly admit that their jurisdictions are quite independent of each other, and exercised in distinct spheres. Such an idea would have seemed extravagant to the members of either Church in the sixteenth century. There could be but one bishop, and he must be appointed by either king or pope. The bishop of the weaker party would have been then treated as a heretic or traitor. Although some collisions between the conflicting claims of rival bishops occurred in the reign of Henry, as notably in the See of Clonfert, no great difficulty arose from this cause; the Roman aspirants to Sees were not yet supported by the physical force of any Continental Government, and did not come into serious conflict with the English executive. The attempts of the Continental Catholics to maintain their Church in Ireland at the risk of civil war, such as that of the Bishop of Metz in 1538, do not appear to have been seriously renewed after the great submission of the chiefs in 1542; and the active opposition in ecclesiastical matters offered to the government of Henry VIII. during the latter period of his reign was feeble and insignificant.

Thus the Protestant Episcopal Church was planted in Ireland, not by any Irish party, nor for the benefit of any Irish party, nor with reference to Irish interests, but as a portion of the policy of England, for the protection of England, and as part of the great scheme of Anglicising this country. The merits and demerits of the establishment belong to England alone. No Irish party can claim the glory, or should suffer retribution for the failure.

During the reign of Henry VIII., and for many years after, the Church thus established maintained its position. It was not yet assailed by any religious enemy, or endangered by foreign interference. The native chiefs had been conciliated; and without



their initiative, as yet, no movement could be attempted against the Government. The effects of a generally conciliatory civil policy counterbalanced the evil results of ill-conceived ecclesiastical legislation.\*

[\* For a more full account of the English Bishops in Ireland and their proceedings, see Bagwell, *Ireland under the Tudors*, Vol. I., Chap. XV.]

---

## NOTE TO CHAPTER XIV.

---

As the king had nominated to bishoprics and other ecclesiastical dignities, the change produced by the abolition of the papal institution to them did not appear so important then as it was in principle, or as it appears now to Roman Catholics accustomed to a voluntary Church free from all State control, and looking back on the struggles and discussions of the subsequent times.

We must not forget that the bulk of the French people, and a large portion of the French clergy, accepted the "Civil Constitution of the Clergy," established by the decrees of the National Assembly in 1790, and that the pious Louis XVI. assented to these decrees, although condemned by the pope, and afterwards abandoned by Napoleon, when he re-established Catholicity in France by the Concordat, just as Gardiner, on the accession of Mary, abandoned the royal supremacy, of which he had been a supporter at an earlier period.

## CHAPTER XV.

---

### THE REIGN OF EDWARD VI.

UPON the death of Henry VIII., power passed into the hands of the new nobility under the Duke of Somerset. This party possessed neither the power nor prestige necessary to enable them to continue the policy of the late king. Unable to mediate between religious parties, now freed from the control of a strong-willed ruler, they were forced to elect which of the contending factions they should adopt as their allies, and use as their supporters. This could not be doubtful, even if they had had a liberty of choice. The Catholic party were intimately connected with the old nobility, and could not have felt aught save hostility towards the men who had been the agents in the dissolution of the monasteries, and participated in the confiscation of their estates. The reformers were eager to carry their views into action; they had seen the progress of reform stopped short with the abolition of the papal supremacy, the most offensive doctrines of the old Church enforced by the Six Articles, and those who ventured to preach the doctrines of the Gospel, as then confessed in Germany, executed as heretics.

A tacit, but firm alliance was formed between the Government and the innovating party—an alliance discreditable, and for some time ruinous to both; for, as usual in all revolutions, the moderate men disappeared, and the conduct of affairs passed into the hands of the more violent and reckless. Among the ruling faction the Duke of Somerset was the only man capable of high aspirations or noble views, and even he was guilty of scandalous acts of self-aggrandisement and peculation; his successor, the Duke of



Northumberland, though his letters are stuffed full of religious sentiments, was, of all English statesmen, one of the most discreditable; they had all profited largely by the confiscation of Church property; by enclosures, and their management of these new estates, they had oppressed and exasperated the peasantry; and their real aim was but to retain what they had acquired, and to acquire as much more as possible during their continuance in power.

The reforming party had passed out of the control of their more moderate and honest leaders; and, in entire contradiction to the policy of the late king, desired not to maintain the old state of things with as little change as possible, but to break off from Catholic Europe, and to bring the Church of England into connexion with the school of Geneva—to bring the Church into connexion with Geneva, not to win over the people to that doctrine; for, as all others of that age, they did not admit the possibility of dissent, and sought to make the Church of the nation a Church framed after their own opinions and speculations—a project to be accomplished in England by the exercise of the royal supremacy and Acts of Parliament. When both parties were destined alternately to disgust and exasperate the nation, it was fortunate for the cause of reform that this rôle fell first to its promoters, and that their follies and violences were eclipsed by the Catholics in the succeeding reign. The state of affairs in England under this government is thus described by Mr. Froude:—"A general order had prohibited all preaching except under a license from the Government, and a set of noisy declaimers, *avant-couriers*, as they called themselves, of the Crown—first to cry for reform, while reform was in the ascendant, first to fly or apostatise in time of danger—made a circuit of the towns and parishes exempted from the operation of the statute. The sacrament of the altar was called the sacrament of the halter. With pleasantry of this sort, acting as an additional stimulant on the visitation, the preachers provoked a rising in Cornwall in 1548, and a Royal Commissioner, William Body, was murdered in a church. But a priest who had been concerned in it was hanged and quartered at Smithfield, and twenty-eight other persons were put to death in different parts of the country, and the riot was appeased. The malcontents were

chiefly among the people. Spoliation and reformation were going hand in hand; the noblemen and gentlemen were well contented for the time to overthrow, bind, and strip the haughty Church which had trampled on them for centuries; and they let pass, not without remonstrance, but without determined opposition, the outrages upon the creed of the people, which, in the recoil of feeling, would provoke so fearful a retribution. Among the leading Protestant theologians Lutheranism was melting gradually away. Cranmer, of whose backwardness the letters of the ultra party, during the first year of Edward's reign, contain abundant proofs, was gradually yielding to the argument of Ridley. Latimer, who cared comparatively little for doctrinal questions—whose whole conception of the Reformation was not so much an improvement of speculative theory as a practical return to obedience and the fear of God—was more difficult to move than Cranmer, but he too was giving way.\* Meanwhile Calvin was anxious to offer his advice. "As I understand, my lord," writes he to the Protector, "you have two kinds of mutineers against the king and the estates of the realm: the one are fanatical people, who, under colour of the Gospel, would set all in confusion; the others are stubborn people in the superstition of the Antichrist of Rome." Having sketched a plan for the organisation of the Church, and assured him that moderation was of all things to be avoided, he proceeds:—"It will be said that we must tolerate our neighbours' weaknesses—that great changes are not easily to be borne. That were to be suffered in worldly affairs, where it is lawful for the one to give place to the other, and to give over his right thereby to purchase peace; but it is not like in the spiritual rule of Christ. There we have nothing to do but to obey God. We must hold by the maxim that the reformation of His Church is a work of His hands. Wherefore, in this matter men must let themselves be governed by Him. In reforming His Church or in keeping it, He will proceed in a wonderful fashion, unknown to men; wherefore, to distrust to the measure of our understandings the Reformation, which ought to be godly, and to subdue to the earth and the world that that is heavenly, is to no purpose."

The Irish policy to be pursued by such a Government may be

\* Froude, Vol. V., p. 97.

easily anticipated. In civil affairs the traditionary policy of the late king was followed, with the good results which might have been anticipated from its conciliatory character, although it was varied by fitful acts of rigour, and strange expedients for raising the revenue; in religious matters constant efforts, not merely to repel the pope's supremacy, and reform the Church as it stood, but to alter it altogether, both in its ritual and doctrine.

Sir A. St. Leger remained for some short time after the death of Henry VIII. as lord deputy, and was then succeeded by Sir Edward Bellingham. In August, 1550, St. Leger was replaced in office, but was in 1551 superseded by Sir James Croft. The appointment of these several deputies indicates changes in the English policy; St. Leger representing conciliation, his two successors vigour.

Sir E. Bellingham was a distinguished military officer, determined not merely to rule, but to govern, and to govern, not merely the inhabitants, but the Government itself of the country. Passing beyond the limits which the policy of Henry VIII. had traced out for its action, he was resolute to put down all disturbances, and sought to bridle the remote districts by military expedients; at the same time he was honourably distinguished by rigid justice to all men, courtesy to honest ecclesiastical opponents, and perfect freedom from any desire of personal profit. His character is favourably given by the author of the *Book of Howth*:—"After him Sir Edward Bellinghame, a good man, a very true payer of all men, and never took anything but that he paid for; and in his time Afale (Offaly) and Lexe was won, and a strong fort was builded in every of them; and after being sent for into England [he] there died. This man had cesses worse than Selingere; but for his own horses wholly was kept in his own stables, and paid for all he took, and was a true-dealing man. He could not have bide [abide] the cry of the poor. He never in his time took anything of any man but that he truly paid for; he ware ever his harness, and so did all those who he liked of."\*

The death of Henry VIII. had naturally disturbed the state of Ireland. A French invasion was anticipated, and the French

\* Carew MSS., Vol. II., p. xci.



Government kept up a correspondence with the disaffected. The coast was infested with pirates. Emissaries, French, Scotch, and religious, flitted about, and it appeared as if at any moment a general conflagration might have ensued. Whether the danger was real or imaginary, the deputy's whole standing force was only 900 men at arms, and 300 light horse; and with these he not only maintained his position, but occupied and held more military points in the island than had been attempted by any previous governor. He cleared the coast of pirates, cut passes through the woods, fortified Athlone, planted garrisons in Roscommon, Lecale, and Cork. He could write a letter such as the following to the Earl of Thomond:—"Your assured friend warns you, if you list so to take it. Of this one thing I will assure you, that those that will most entice you to take other men's causes in hand will be the first that shall leave you if ye have need. As heretofore I have declared unto you, whatsoever he be that shall, with manifest invasion, enter, burn, and destroy the king's people, I will no more suffer it than to have my heart torn out of my body. When the king's subjects commit such offences, they are traitors and rebels, and so I will take men and use them. My lord, this privilege I challenge on the king, my master." He had sufficient self-confidence to disregard the traditional leaning upon the house of Butler; he objected to the young chief of that house being sent over to Ireland to support the English power. Authority, it was thought, would not take place without him. "I pray God," continued Bellingham, "rather these eyes of mine should be shut up than it should be proved true, or that during the time of my deputation I should not make a horse boy sent from me to do as much as any should do, that brought not good authority with him, how great soever they were in the land. I will not say it shall be the first day, but in small time, God willing, it shall be done with ease, a duty, that what of gentleness I require touching the king's affairs, it be taken and weighed as a commandment."\*

He had no intention of modifying his views, or restricting his power, to meet the wishes of the English executive. "I am," he says, "at your honourable lordships' commandment, as Bellingham,

\* Froude, Vol. V., p. 415.

as much as any servant you have ; but in respect I am the king's deputy, your good lordships may determine surely that I will have none exempt from my authority in Ireland's ground, but sore against my will."\* In the same letter he urges Warwick to stand his good lord : " That all men here may know I am the king's deputy, so that they shall think, when they have my favours, things go well with them, and the contrary when they have them not."†

He treated with supreme contempt the official clique, led, as usual, by the chancellor, Alen, who, though unable to attack his private character or abilities, abused him, as they did all honest deputies, behind his back. " My lord deputy," writes Alen, " is the best man of war that ever I saw in Ireland, having, since his coming hither, done more service to the king than was done—after the repressing of the Geraldines—in all the king's father's lifetime, notwithstanding all his charges." Nevertheless, the chancellor complained:—" It is as well to have no Council. He doth all himself, and no man dare say the contrary, except sometimes little I, and that seldom. Nay, he saith at times that the king hath not so great an enemy in Ireland as the Council is ; and if they were hanged, it were a good turn. Sometimes, when he committeth a man in anger to ward, he will say : ' Content thyself, for I do no worse to thee than I will to the best of the Council, if he displease me.' "‡

In 1549 he was recalled, and shortly after died. Fortunately, perhaps, for himself, recalled ; for it is to be inquired whether, with all his ability and energy, he could have met with continued success—in fact, whether he had succeeded. A vigorous policy is wholly useless, unless it leads to a condition of things in which itself becomes unnecessary. Any man can govern by martial law. The statesman governs so as to make martial law unnecessary. Cowley, the great advocate for rigour, thought that the subjugation of Ireland was almost accomplished, and says:—" The king having a force in each quarter of the country, will they or nill they, the people must obey ; and if only they could now be also put from

\* Carew MSS., Vol. II., p. lxxxviii.

† Froude, Vol. V., p. 416.

‡ Ibid., p. 418.

idleness—if they could be compelled to inhabit and fall to husbandry, to put away their assemblies in harness, and take delight in wealth and quiet, Ireland, in a little time, would be as obedient and quiet as Wales.”\*

But, in fact, the chiefs who, in the late reign, under Sir A. St. Leger, had entered into no conspiracies, were all in combination to break out upon the first opportunity. The fair appearance of order merely concealed renewed discontent and exasperation. “I asked the earl what should be the cause of so great a combination of the wild Irish, and how long since the same had commenced. Whereunto he said, the same conspiracy was concluded amongst them above a year past, only in the dread of the late deputy, which, with his rough handling of them, put them in such despair as they all conspired to join against him. To some others of Council, which I heard not, he added the matter of religion. But for my part, beside these causes, I judge they will the rather take the opportunity to execute their malice, hearing not only of the continuance of the outward wars and loss of our forts, and specially of the late civil displeasures in England, but also hope and comfort and aid of the Scots, promised, as it is said, by the blind bishop that came from Scotland out of Rome.”†

To Sir E. Bellingham the soldier succeeded St. Leger the politician, ready to carry out the views of any Government who appointed him in religious matters, an adiaphorist, equally willing to introduce the English service, or re-establish the mass, but ever adverse to violent measures, believing peace to be more economical than war, conciliation more effective than coercion—desirous to see the English supremacy established rather by winning over the chiefs than by humbling them, or by convulsive efforts to enforce obedience.

Sir J. Croft, his successor, was required rather to use vigour in enforcing religious reforms, than in maintaining the civil authority; in the temper of his Government he followed the policy of his predecessor.

\* Froude, Vol. V., p. 41. [Bagwell, *Ireland under the Tudors*, Vol. I., p. 344.]

† Froude, Vol. V., p. 421. Waucop appointed Archbishop of Armagh by the Pope.



Mr. Froude would represent the condition of Ireland after the recall of Bellingham to have been utterly disorganised. "Sir E. Bellingham had shown the Irish one aspect of English administration. The home Government was preparing to show them another. The seed was sown, and the harvest would be certain, and not far distant. It would not, however, be gathered in by Sir A. St. Leger, whose footing in the now swollen waters was almost instantly lost."\*

That the government of St. Leger and Croft was a failure is absolutely contradicted by the detailed report of Sir Thomas Cusacke, to be referred to hereafter. The instructions to both St. Leger and Croft, which are almost identical, involve a reversal of the policy of Bellingham. They were directed to set forth God's service according to the ordinances in English or Irish, as most convenient; to see the laws uprightly administered; to enforce the efficient performance of their duty by the officials; to get the ports and havens into the hands of Government; to give straight order for the punishment of offenders; to favour the obedient; to redress wrongs; to study the commonwealth of the people; to make search for mines; to let the royal farms on twenty-one years' leases; to search out for timber nigh to the harbours; to practise that the inhabitants of the seaports might begin to fortify their towns; to take orders for the full and complete possession of Leix and Offaly, and to let the land in twenty-one years' leases; to take steps for the completion of the castles and manors then existing or in process of erection; to endeavour to reduce that part of the land called Leinster, where dwelt the Kavanaghs, Tooles, and Byrnes. There was no discretion given to continue the posting of garrisons in distant parts of the country, the cutting of passes or violent measures against distant chiefs. The English Government tacitly directed the schemes of Sir E. Bellingham to be abandoned. The outlying garrisons which had been established were a cause of irritation, not of security. Their wages fell in arrear; there could have been no revenue in Ireland to maintain them; they were mutinous and profligate; the garrison of Athlone plundered Clonmacnoise, and Brereton in Lecale got into collision with Tyrone.

\* Froude, Vol. V., p. 424.

The death of Bellingham anticipated a necessary recall, and the policy of Henry VIII. had to be again resumed.\*

That peace should have been maintained during the rest of this reign is the more remarkable since the English portion of Ireland was reduced to the utmost confusion and distress by the extreme depreciation of the coinage introduced by the English Government, so excessive that in the year 1551-52 the prices of all articles doubled—an evil for which Northumberland had no remedy save the stripping of the churches of their jewels, and the disbanding of the soldiers, if pay could not be had for them; and subsequently the importing of German Protestants, who turned out “idle vagabonds, not worth their keep,” to work the mines of Wicklow.† The Irish chiefs, except the O’Connors and O’Mores, who were being gradually dispossessed by English settlers, must have had but little cause of complaint, when they allowed a Government so defenceless to remain unassailed.

The religious measures taken in this reign were more important than the civil. The reforming efforts of Archbishop Browne, and the Bishop of Meath, seem to have relaxed towards the conclusion of the reign of Henry VIII. St. Leger, in the end of 1549, informs the Council that there had been but one sermon made in the country for three years, and that by the Bishop of Meath.‡ The Protestantism and loyalty of Browne himself appeared to be open to suspicion. The party which succeeded to power naturally desired to extend to Ireland the religious policy introduced into England; but the extent of the alterations and mode of their introduction, during the early part of the reign, are difficult to ascertain. No Parliament sat in Ireland from 1543 to 1556, and therefore no statutes were passed to regulate the doctrine or formularies of the Church; the English Liturgy was not introduced until 1551; and in the meanwhile, as under the late king, the Church must have continued without any alteration, except the introduction of the doctrine of the royal supremacy, and the test of orthodoxy must have been, as in England, the Six Articles of 1539.

[\* See Bagwell, *Ireland under the Tudors*, Book 1, p. 344.]

[† The mines referred to here were the silver mines at Clonmines, in the County of Wexford, mentioned *ante*, p. 17.]

‡ Carew MSS., Vol. I., p. 198.

Sir E. Bellingham is stated to have gone the right way for "the setting forth of God's Word," and promptly checked any priest, as in the case of Mr. Fitzwilliam, "who excited or stirred up sedition among the king's faithful and Christian subjects;" but towards even those who objected to the king's supremacy he exhibited a moderation and forbearance rarely found in statesmen of his time. His letter to Dowdall, the Archbishop of Armagh, the avowed head of the Catholic party, is a model of discretion and charity. "My Lord Primate, I pray you lovingly and charitably to be circumspect in your doings, and consider how God hath liberally given you divers gifts, and namely of reputation amongst the people, which requireth a great consideration at all times, as well in your acts as words. The king's Majesty also is, and hath been, your good and gracious lord; and I, his minister here, doth not a little love and esteem you. Wherefore, I require you, let all these in part be with the gratuity of setting forth the plain, simple, and naked truth recompensed; and the way to do the same is to know that which, with a mild and humble spirit, wished, sought, and prayed for, will most certainly be given, which I pray God grant us both."\*

The first English Act of Uniformity<sup>\*</sup> was passed in 1549, according to which Edward VI.'s first English Prayer Book came into use in that country. St. Leger was, by his instructions, directed to set forth God's service after our ordinances in English, in all places where the inhabitants, or a convenient number of them, understood that tongue. Upon his arrival in Dublin, the Mass was the only legal form of Church service; and Sir Anthony, with his perfect indifference to religious speculation, attended High Mass at Christ Church. Archbishop Browne, of whom, in 1538, Staples wrote—"The common voice goeth of him that he doth abhor the Mass," and who was doubtless well acquainted with the intentions of the English Government, was indignant. "Sir Anthony," he writes, "upon his arrival, went to the chief church of the nation; and there, after the old sort, offered to the altar of stone, to the great comfort of his too many like Papists, and the discouragement of the professors of the Gospel."

\* Carew MSS., Vol. II., p. lxxxvi.



To the expostulations of the archbishop he replied, "Go to—go to—Your matters of religion will mar all," and handed the prelate a little book to read, which he found—"so poisoned as he had never seen to maintain the Mass, with transubstantiation and other naughtiness." The introduction of unpopular religious changes was the most irksome task to a politician who desired to please and conciliate the people, and saw all his civil policy exposed to shipwreck, for the promulgation of religious doctrines in which he felt no interest. He had been, however, sent over to smooth the way for the introduction of the English formulary; and when expressly ordered to do so, he was, as an official, ready to obey. In 1551 he received the following express order from the king:—

"Whereas our gracious father, King Henry the Eighth, of happy memory, taking into consideration the bondage and heavy yoke that his true and faithful subjects sustained under the jurisdiction of the Bishops of Rome, as also the ignorance the commonalty were in; how several fabulous stories and lying wonders misled our subjects in both our realms of England and Ireland, grasping thereby the means thereof into their hands, also dispensing with the sins of our nations, by their indulgence and pardons, for gain, purposely to cherish all ill views, as robberies, rebellions, thefts, whoredoms, blasphemy, idolatry, &c., &c. He, our gracious father, King Henry, of happy memory, hereupon dissolved all priories, monasteries, abbeys, and other pretended religious houses, as being but nurseries for vice and luxury, more than for sacred learning; therefore, that it might more plainly appear to the world that those orders had kept the light of the Gospel from his people, he thought it most fit and convenient, for the preservation of their souls and bodies, that the Holy Scriptures should be translated, printed, and placed in all parish churches within his dominions, for his faithful subjects to increase their knowledge of God and of our Saviour Jesus Christ. We, therefore, for the general benefit of our well-beloved subjects' understandings, whenever assembled and met together in the said several parish churches, either to pray or hear prayers read, that they may the better join therein in unity, hearts and voices, have caused the liturgy and prayers of the Church to be translated into our mother-tongue of this realm of England, according to the assembly of divines lately met within the same for

that purpose. We therefore will and command, as also authorise you, Sir Anthony St. Leger, Knight, our viceroy of that our kingdom of Ireland, to give special notice to all our clergy, as well archbishops, bishops, deans, archdeacons, as others our secular parish priests, within that our said kingdom of Ireland, to perfect, execute, and obey this our royal will.”\*

It does not appear that any Irish bishop had been consulted as to the introduction of this ritual, or that they were informed of its contents or nature, or that any Irish statesman, except St. Leger, who openly expressed his dislike for the course he was directed to pursue, had been communicated with. It was thus attempted, with slight preparation, to introduce into this country the English service—a ritual of the introduction of which into England it has been remarked:—“Of the strange features of the change the strangest perhaps was, that the official opinion of Convocation was scarcely asked, even in form. Parliament now discussed the faith of England, and laymen decided on the doctrines which the clergy were compelled to teach.”†

The policy of introducing this formulary into Ireland is difficult to understand. It was framed in England as a compromise, supported by the majority of the laity, and in which it was hoped the divines of both sides might concur; but, as there was as yet but one religious party in Ireland, no such advantages could have been anticipated from its introduction there. The English Government, under the Duke of Northumberland, cannot be credited with any religious enthusiasm. It may have desired to gratify the ultra reformers, who supported them, but certainly exhibited no missionary zeal or interest as to the religious condition of the population of the adjoining island. This measure may be fairly considered to have been introduced as part of the established policy of assimilating Ireland to England, without the slightest reference to the feelings or wants of the people, or the propriety of the innovation.

The deputy, having received his orders, summoned the Irish archbishops and bishops, not for the purpose of taking their opinions, but simply to receive his Majesty's orders. He informed them that “it was his Majesty's will and pleasure, consenting unto their

\* Mant, p. 194.

† Froude, Vol. V., p. 142.

serious deliberations and opinions, then acted and agreed upon in England as to ecclesiastical matters, that the same be in Ireland likewise celebrated and performed." The scene which ensued is remarkable. The Catholic opposition was led by the Primate, a man of the highest character, testified by the profound respect with which he was uniformly treated by the English executive and successive deputies; but on this, as every other occasion, he showed an entire want of tact, and absence of logical power; he was answered by the deputy, who argues for the Anglican doctrine, with the utmost gravity and unction, having shortly before given to the archbishop the little book in favour of transubstantiation and other naughtiness. Archbishop Browne winds up the discussion by openly declaring himself an Erastian.

Dowdall replied to the deputy by remarking—"Then shall every illiterate fellow read mass." "Your Grace is mistaken," said St. Leger; "for we have too many illiterate priests among us already, who neither can pronounce the Latin nor know what it means, no more than the common people who hear them; but when the people hear the liturgy in *English*, they and the priest will then understand what they pray for." The archbishop then bade the deputy beware of the clergy's curse. "I fear no strange curse," answered St. Leger, "so long as I have the blessing of that Church which I believe the true one." "Can there be a truer Church," then asked the archbishop, "than the Church of St. Peter, the mother Church of Rome?" "I thought," returned the deputy, "we had all been of the Church of Christ: for He calls all true believers in Him His Church, and Himself the head thereof." "And is not St. Peter's Church the Church of Christ?" repeated the archbishop. The deputy answered—"St. Peter was a member of Christ's Church; but the Church was not St. Peter's; neither was St. Peter, but Christ, the head thereof." Whereupon the Archbishop of Armagh rose, and, followed by all his suffragans, except Staples, the Bishop of Meath, left the meeting. The vice-roy then held out the book of the English service to the Archbishop of Dublin, who stood up, and received it with these words:—"This order, good brethren, is from our gracious king, and the rest of our brethren, the fathers and clergy of England, who have consulted thereon, and compared the Holy Scriptures with what



they have done ; unto whom I submit, as Jesus did to Cæsar, in all things just and lawful, making no question why or wherefore, as we owe him our true and lawful king." With Browne there remained Staples, Bishop of Meath, the most active supporter of the Reformation in Ireland ; the Bishop of Kildare (Lancaster), lately appointed in 1550, and the Bishop of Limerick, who had been appointed by the pope in 1522.\* Thus, on the question of the English service, the Church openly split into two parties, upon which occasion Browne expressed the sentiments for long after his time acted upon by his successors.

This breach between the bishops and the Crown was distasteful to both parties ; and upon his arrival, Sir James Croft addressed a letter to the primate, in the hope of bringing about a compromise. The tone of this letter and the answer show how anxious both parties were to avoid a quarrel the consequences of which they could not foresee. Sir J. Croft writes :—" We understand you are a reverend father of the Church, and know full well that you are not ignorant of the obedience due unto kings and princes ; for the chief of bishops, namely, Christ, the bishop of our souls, showed you the way by His tribute given unto Cæsar, the same being formerly confessed and acknowledged to be so due by the Bishops of Rome themselves ; wherefore, if your lordship will appoint a place where I may conveniently have the happiness of appeasing wrath between the fathers of the Church and your Grace, I shall think my labour well spent to make a brotherly love therein, as I profess myself to be a Christian. Yet as I am employed under my most gracious sovereign lord, within this his Majesty's realm, I needed not have sought this request ; but fearing we shall have an order ere long to alter Church matters, as well in offices as in ceremonies, which I would prevent if possible, therefore out of my hearty affections unto your paternal gravity and dignity, I have written by the chief of the bishops under your jurisdiction, viz., the Bishop of Meath, by whom we entreat your Grace's answers."†

\* Mant, p. 196. Harleian Miscell., Vol. V. [There is an error here as to the Bishop of Limerick. Bishop Quin, appointed in 1522, had just resigned his See, and been succeeded by William Casey, appointed by the Crown. St. Leger to Cecil, January 19, 1551.]

† Mant, p. 206.

To which the primate replied :—" Your kind and hearty overtures came unto me unexpected. I fear it is in vain for me to converse with an obstinate number of Churchmen, and in vain for your lordship to suppose the difference between us can be so soon appeased, as our judgments, opinions, and consciences are different : yet do accept of your honour's friendly proffers. I shall rejoice to see your lordship, and would have waited on you in person ; but having withdrawn myself for a long space during your predecessor's Government, and for a while since, it is not so meet for me to appear at your lordship's palace. This, I hope, is a sufficient reason from your lordship's humble servant."\*

The proposed interview took place at St. Mary's Abbey ; the disputants were the primate and the Bishop of Meath ; their tone is remarkable throughout the argument. The suffragan treated the primate with the respect and deference which his position and character deserved. The archbishop treated Staples, not as a heretic, but as a sincere and honest opponent. The discussion took the turn, and came to the end which might have been anticipated. The primate simply relied upon the doctrines, and repeated the formulæ of belief which he had learned before the opinions of this Church had been troubled by doubts. Staples refers to Erasmus, and relies, in answer to the primate, upon the criticisms of the modern classical school. There was no common ground between the disputants. The concluding part of the conversation, thoroughly courteous but melancholy in its tone, involves the question which was during the Tudor period to place the Crown and the Catholics of Ireland in antagonism.

Archbishop to the lord deputy—" My lord, I signified to your honour that all was in vain, when two parties should meet of a contrary opinion ; and that your lordship's pains therein would be lost, for which I am heartily sorry."

Lord Deputy.—" The sorrow is mine, that your Grace cannot be convinced."

Archbishop.—" Did your lordship but know the oaths we bishops do take at our consecrations, signed under our hands, you would not blame my steadfastness. This oath, Mr. Staples, you took

\* Mant; p. 207.

with others, before you were permitted to be consecrated. Consider hereon yourself, and blame not me for persisting as I do."

Bishop of Meath.—"My lord deputy, I am not ashamed to declare the oath, and to confess my error in so swearing thereunto. Yet I hold it safer for my conscience to break the same than to observe the same. For when your lordship sees the copy thereof, and seriously considers, you will say it is hard for that clergyman so swearing to be a true subject to his king, if he observe the same : for that was the oath which our gracious king's royal father caused to be demolished, for to set up another, now called the oath of supremacy, to make the clergy the surer to his royal person, his heirs and successors." "Then," as the manuscript narrative concludes the account, "the lord deputy rose and took leave ; so likewise did the Bishops of Meath and Kildare, who waited on his lordship."\*

Unless the Government had withdrawn the English service, they could not have avoided taking some step against Dowdall ; they, however, proceeded no further than to transfer the primacy from the See of Armagh to that of Dublin by an order of Council. The "high stomach" of the primate "could not digest this affront ;" and he left the country, whereupon his See was treated as vacant *de facto*.

The Government proceeded to fill up the primacy, and the See of Ossory, lately vacant by the death of the bishop ; and the mode in which this was done was a curious proof of the entire disregard paid to Irish feelings and interests. Cranmer was consulted, that so, "by the influence of very wise and learned men, and good preachers, the Gospel might be the better propagated in that wild region. But, because it was foreseen to be difficult to procure any Englishmen, so endowed, to go over thither, therefore Secretary Cecil, being then with the king in his progress, sent a letter to the archbishop, to nominate some worthy person for those preferments, and whom he thought would be willing to undertake them. He returned him the names of four, and said 'he knew many others in England that would be meet persons for those places, but very few that would be gladly persuaded to go thither ;' 'for it seems

\* Harleian MSS., C., Vol. V. Mant, p. 208.



the English were never very fond of living in Ireland.' But he added, concerning those four which he had named, 'that he thought they, being ordinarily called for conscience' sake, would not refuse to bestow the talent committed unto them, wheresoever it should please the king's Majesty to bestow them.' He recommended likewise a fifth person for this promotion, a wise and well learned man; but he doubted whether he would be persuaded to take it upon him."\*

Of Cranmer's nominees the king selected Turner; but he, as Cranmer had anticipated, "was not very fond of living in Ireland," and excused himself from the offered honour. "He urged to the archbishop that if he went thither he should have no auditors, but must preach to the walls and stalls; for the people understood no English." The Archbishop, on the other hand, endeavoured to answer all his objections, though evidently himself very imperfectly informed on the subject. He told him—"They did understand English in Ireland, though whether they did in the diocese of Armagh, he did indeed doubt. But to remedy that, he advised him to learn the Irish tongue, which, with diligence, he told him he might do in a year or two; and that there would this advantage arise thereby, that both his person and doctrine would be more acceptable, not only unto his diocese, but also throughout all Ireland."†

Mr. Goodacre was finally selected, and proceeded to Dublin for his consecration.

While the archbishopric of Armagh was thus hawked about among English ecclesiastics, a more important appointment was made in the nomination of Bale to Ossory. Bale was undoubtedly a sincere, though extreme reformer. He had been willing to suffer for his faith in the reign of the late king; he was a man of learning, and his name is well known to students of English literature. Like the other leaders of the extreme party in England, he had strong views upon many points which now appear of very small importance; and he enforced and carried out his views without any regard for law or expediency, and with the utmost contempt for all things

\* Strype, *Ecclesiastical Biography*, 1, 112. Mant, p. 214.

† Strype, *ut supra*. Mant, p. 215.

Irish. He believed all who differed from himself, whether of the old or new faith, to be impious and immoral, and poured out upon them torrents of the most elaborate invective. His ambition was, to enforce the use of the second Prayer Book of Edward the Sixth, which had never been introduced into Ireland, and to take as his model the conduct of Hooper, in the very points in which it had been condemned by Bucer. As Browne was the first political Erastian of the Irish Established Church, so Bale was the first official controversialist. He has detailed his adventures as an Irish bishop in his tract entitled, "The Vocacyon of John Bale to the Bishoprick of Ossorie in Irelande, his persecucions in the same, and final deliverance,"\*—a fragment of autobiography which enables us to realise the position of a Protestant bishop in Ireland, and the feelings of the inhabitants of one of the most English towns in the island, during the first efforts to establish the Reformed Church. Bale's opinions are so extreme, and his language so outrageous, and often indecent, that he cannot be received as a credible witness against any of his opponents; but his tract is useful, as against himself, in evidence of the conduct he pursued, and the language he permitted himself to use—of his utter failure, and absurd adventures.

On the 21st January, 1553, Bale arrived at Waterford. His first impressions of Ireland were not favourable. "In beholding the face and order of that city, I see many abominable idolatries, maintained by the epicurish priests for their wicked bellies' sake. The Communion, or Supper of the Lord, was there altogether used like a Popish mass, with the old apeish toys of Antichrist, in bowings and beckonings, kneelings and knockings; the Lord's death, after St. Paul's doctrine, neither preached, nor yet spoken of. There wailed they over the dead, with prodigious howlings and patterings, as though their souls had not been quieted in Christ, and redeemed by His passion; but that they must come after and help at a pinch with *requiem eternam*, to deliver them out of hell by their sorrowful sorceries. When I had beholden these heathenish behavers, I said unto a senator of that city that I well perceived that Christ had there no bishop, neither yet the king's

\* Harleian Miscell., Part 2, Vol. VI.

Majesty of England any faithful officer of the mayor, in suffering so horrible blasphemies."

"Upon the Purification Day of our Lady, the Lord Chancellor of Ireland, Sir Thomas Cusacke, our special good lord and earnest aider in all our proceedings, appointed us to be invested or consecrated (as they call it) by George, the Archbishop of Dublin, Thomas, the Bishop of Kildare, and Urbane, the Bishop of Duno (Down), assisting him. I will not here describe at large the subtle conveyance of that great epicure, the archbishop, how he went about to defer the day of our consecration, that he might by that means have prevented me in taking up the proxies of my bishoprick to his own gluttonous use, and in so depriving me of more than half my living for that year. As we were coming forth, to have received the imposition of hands, according to the ceremony, Thomas Lockwode (*Blockhead* he might be well called), the Dean of the Cathedral Church there, desired the Lord Chancellor very instantly, that he would in no wise permit that observation to be done after that Book of Consecrating Bishops, which was last set forth in England by Act of Parliament, alleging that it would be both an occasion of tumult, and also that it was not as yet consented to by Act of their Parliament in Ireland. For why? he much feared the new changed order of the communion therein to bind his kitchen and belly. The Lord Chancellor proposed this matter unto us; the archbishop consented thereunto, so did the other two bishops. Master Goodacre would gladly it might have been otherwise, but he would not at that time contend there with them.

"When I see none other way, I stepped forth, and said—'If England and Ireland be under one king, they are both bound to the obedience of one law under him. And as for us, we came hither as true subjects of his, sworn to obey that ordinance. It was but a bishoprick,' I said, 'that I came thither to receive that day; which I could be better contented to tread under my foot there than to break from that promise or oath that I had made. I bade them, in the end, set all their hearts at rest; for, came I once to the Church of Ossory, I would execute nothing for my part there, but according to the rules of that latter book.' With that, the Lord Chancellor right honourably commanded the ceremony to be



done after the book. Then went the ass-headed dean away, more than half confused—neither followed there any tumult among the people, but every man, saving the priests, was well contented. Then went the archbishop about that observation, very unsaueryly, and as one not much exercised in that kind of doing, specially in the administration of the Lord's Holy Supper. In the end, the Lord Chancellor made to us and to our friends a most friendly dinner, to save us from exceeding charges, which otherwise we had been at that day."

Having entered upon his episcopal duties at Kilkenny, he says:—"My first proceedings, in that doing, were these: I earnestly exhorted the people to repentance for sin, and required them to give credit to the Gospel of Salvation. To acknowledge and believe that there was but one God, and Him alone, without any other, sincerely to worship. To confess one Christ for an only Saviour and Redeemer, and to trust in none other man's prayers, merits, nor yet deservings, but in His alone for salvation. I treated at large both of the heavenly and political state of the Christian church; and helpers I found none among my prebendaries and clergy, but adversaries a great number. I preached the Gospel of the knowledge and right invocation of God; I maintained the political order by doctrine, and moved the commons always to obey their magistrates. But, when I once sought to destroy the idolatries, and dissolve the hypocrites' yokes, then followed angers, slanders, conspiracies, and, in the end, the slaughter of men. Much ado I had with the priests; for that I had said among other, that the white gods of their making, such as they offered to the people to be worshipped, were no gods, but idols; and that their prayers for the dead procured no redemption to the souls departed; redemption of souls being only in Christ, of Christ, and by Christ. I added, that their office, by Christ's straight commandment, was chiefly to preach and instruct the people in the doctrine and ways of God; and not to occupy so much of the time in chanting, piping, and singing."

"Another thing was there, that much had displeased the prebendaries and other priests; I had earnestly, ever since my first coming, required them to observe and follow that only Book of Common Prayer, which the king and his Council had that year put

forth by Act of Parliament. But that would they at no hand obey; alleging, for their vain and idle excuse, the lewd example of the Archbishop of Dublin, which was always slack in things pertaining to God's glory; alleging also the want of books, and that their own justices and lawyers had not yet consented thereunto; as though it had been lawful for their justices to have denied the same; or as though they had rather have hanged upon them, than upon the king's authority, and commandment of his council."

"On the xxv day of July, the priests were as pleasantly disposed as might be, and went by heaps from tavern to tavern, to seek the best rob dayve and *aqua vitae*, which are their special drinks there. They caused all their cups to be filled in, with *gaudeamus in dolio*; the mystery thereof only known to them, and at that time to none other else; which was that King Edward was dead, and they were in hope to have up their masking masses again. The next day following, a very wicked justice, called Thomas Hothe, with the Lord Mountgarret, resorted to the cathedral church, requiring to have a communion in the honour of St. Anne. Mark the blasphemous blindness and wilful obstinacy of this beastly Papist! The priests made him answer, that I had forbidden them that celebration, saving only upon the Sundays, as I had, indeed, for the abominable idolatries that I had seen therein. 'I discharge you,' saith he, 'of obedience to your bishop in this point, and command you to do as ye have done heretofore;' which was to make of Christ's holy communion an idolatrous mass, and to suffer it to serve for the dead, clean contrary to the Christian use of the same."

"Thus was the wicked Justice not only a violator of Christ's institution, but also a contemner of his prince's earnest commandment, and a provoker of the people, by his ungracious example, to do the like. This could he do, with other mischiefs more, by his long being there for a whole month's space; but for murders, thefts, idolatries, and abominable whoredoms, wherewith all that nation aboundeth, for that time he sought no redress, neither appointed any correction. The priests thus rejoicing that the king was dead, and that they had been that day confirmed in their superstitious obstinacy, resorted to the aforesaid false Justice the

same night at supper, to gratify him with rob-davye and *acqua vitæ*; for that he had been so friendly unto them, and that he might still continue in the same.”\*

The English district of Kilkenny had the advantage or disadvantage of Bale's ministry. Throughout the greater proportion of the country there was no attempt made to spread the reformed doctrine. “As for preaching we have none, which is our lack, without which the ignorant can have no knowledge, and which were very needful to be redressed.”† Nothing must be more carefully borne in mind than the total absence of any missionary effort to spread the reformed doctrine among the people. The Government willed that Ireland should be reformed according to the English pattern. This change was not to be effected by persuading or winning over the masses; it was to be accomplished by the appointment of English Protestant bishops, and the promulgation of English formulæ; and this having been done, the executive assumed, and acted on the assumption, that the population, as loyal subjects, believed what the English Government for the time being chose to declare to be the Christian religion. No argument was addressed to the people, save the simple declaration, “the king so wills it;” and they were expected to obey, in the words of Archbishop Browne: “I submit, as Jesus did to Cæsar, in all things just and lawful, making no question why or wherefore, as I own thee our true and lawful king.” What did the English bishops do? What could they have done? The Bishop of Meath thus describes his own position in his diocese:—

“Ye have not heard such rumours as is here all the country over against me, as my friends doth show me. One gentlewoman, unto whom I did christen a man-child, which beareth my name, came in great council to a friend of mine, desiring how she might find means to change her child's name. And he asked her why? And she said, ‘because I would not have him bear the name of an heretic.’ A gentleman dwelling nigh unto me forbade his wife, which would have sent her child to be confirmed by me, so to do, saying his child should not be confirmed by him that denied the sacrament of

\* “Harleian Miscellany,” Vol. VI., pp. 446, 450.

† *Vide infra*. Carew MSS., Vol. I., page 246.



the altar. A friend of mine rehearsing at the market that I would preach the next Sunday, divers answered they would not come thereat, lest they should learn to be heretics. One of the lawyers declared to a multitude that it was great pity that I was not burned; for, if I preached heresy, so was I worthy therefore; and if I preached right, yet was I worthy, for that I kept the truth from knowledge. This gentleman loveth no sodden meat, nor can skill but only of roasting. One of our judges said to myself that it should be proved in my face that I preached against learning. A beneficed man of mine own promotion came unto me weeping, and desired that he might declare his mind unto me without my displeasure. I said I was well content. 'My lord,' said he, 'before ye went last to Dublin, ye were the best beloved man in your diocese that ever came into it, and now ye are the worse beloved that ever came here.' I asked wherefore? 'Why,' said he, 'for ye have take open part with the heretics, and preached against the sacrament of the altar, and deny saints, and will make us worse than Jews. If the county wist how, they would eat you.' He besought me to take heed of myself; for he feared more than he durst tell me. He said, 'Ye have more curses than ye have hairs in your head; and I advise you, for Christ's sake, not to preach, as I fear ye will do.' Hereby ye may perceive what case I am in, but put all to God; and now, as mine especial friend, and a man to whom my heart beareth earnest affection, I beseech you give me your advice, not writing your name for chance."\*

But as yet religious questions had small influence upon the state of Ireland. The mass of the population was probably ignorant of the ecclesiastical changes which had taken place. Meanwhile, the effects of the policy of Henry VIII. were bearing their fruits. It almost seemed not impossible that the supremacy of the English king, now generally acquiesced in, would ripen into actual sovereignty. A complete view of the condition of the country, and an insight into the firm but conciliatory mode of dealing with the native chiefs, is afforded by "The Book sent from Sir Thomas Cusack, Lord Chancellor of Ireland, to the Duke of Northumberland's Grace for the present state of Ireland, dated the 8th May, 1553."†

\* Hamilton, Calendar, p. 96, No. 156.

† Carew MSS., Vol. I., pp. 225-246.

“ Munster, under the rule of such lords and captains as be there, and of the Earl of Desmond, is in good quiet, so that the Justices of the Peace ride their circuit in the counties of Limerick, Cork, and Kerry, being the farthest shires west in Munster, and the sheriffs are obeyed.—‘ The lords and captains of those countries, as the Earl of Desmond, the Viscount Barrie, the Lord Roche, the Lord FitzMorris, and divers other, which within few years would not hear speak to obey the law, beeth now in commission with the Justices of Peace to hear and determine causes.’ ‘ The Irish captains in those quarters do not stir, but live in such quiet that the English captains at Cork with 40 horsemen cause the offenders to stand to right.’ McCartie More, who is the most powerful Irishman in Ireland, and ‘ who beforetime always was at war with the countries under the Earl of Desmond’s rule, and did not much pass upon the same earl nor his power, but well nigh by war upon every light occasion wasted the country, and is now very conformable to good order, having of late by persuasion of the said English captain obeyed and performed certain orders taken betwixt him and others of the country.’ If a stout gentleman, skilful and of estimation among them, were president at Limerick, to see right indifferently ministered amongst them, and the captain appointed to attend upon him to see the orders and decrees put in due execution, no doubt but the king should not only win many good subjects, but also within short time have great revenue where now he has nothing in Munster more than obedience. ‘ And so between the abbey land[s] and other possessions, which be now waste and worth nothing, and the same countries being charged to be contributory to subsidies and other charges upon the ploughlands (like as other shires be), will be no small yearly profit to his Highness, and besides the charges of the President and Council there, which in short space will be borne upon the amercements and fines of the courts without putting his Majesty to charge ; so as without such device it would be hard to make the said countries so civil, obedient, and profitable to his Majesty, as otherwise they would be.’

“ Leinster is in meetly good stay at this instant, for my lord deputy, of late repairing in those quarters, took order with Cayre McArte and the rest of the Kavanaghes, and appointed every gentleman his territory, and placed certain English captains with their

bands amongst them, part at Leighlyn, part at Fearnese and Enescorte, and some at Tymolinge, a place wherein the Cavenaghs and other malefactors before time disturbed such as brought stuff by water from Rosse or Waterford to Leyghlyn or Carlaghe; and likewise placed certain of the king's kerne, so as between them and the county of Wexford (I suppose) the Kevenaghs must be content with their portions without disturbance, and besides must be at the said captain's commandment, whereby the strength of the Irishmen shall decay, being restrained of liberty take of the freeholders and husbandmen in the countries such as will ask or exact upon them, and by such liberty they retain their men and increase their strengths; and so restraint thereof decayeth the same, as now they be used, whereby they were never so weak, so as I trust that country within short time may be brought to obedience to be at the king's Majesty's commandment with small charges."

"The Byrnes and such other of Irish sort dwelling in the rest of Leinster and next to the Kevenaghs be of honest conformity, and payeth no rent to the king's Majesty, but beareth six score galloglasse one quarter yearly, yielding to every of them 4d. sterling by the day, and beeth able to make 80 horsemen with many footmen within their country, being men alway ready to stand to good order at the appointment of my lord deputy and Council, so as they be men of honest conformity."

"Thomond is besides Limerick, wherein the Breanes do inhabit, and since the time that O'Brean was created earl, the same is in good order and quiet, but after the decease of the late Earl of Thomond, Sir Donnough O'Brean, Baron of Ibrackan, being by the king's grant appointed to be next earl, for fear of his brother Sir Donald and the rest of the gentlemen of the country, did name his said brother to be Tanest, after the Irish custom; which being repugnant to the king's grant, my lord deputy hearing thereof sent for the same baron, and laid that to his charge, and upon his own confession of his misbehaviour therein, sent also his letters to the said Sir Donald and the rest of the gentlemen to stand to the king's Majesty's orders, and to refuse their Irish custom, whereby without war or force all they applied to refuse the same Irish custom, and obeyed the baron as Earl of Thomond, according to his Majesty's grant, and refused the self name of Tanest; and now there be few countries in Ireland in better quiet than they."



“Between Limerick and the County of Tipperary be these Irishmen of good power: the McWilliams, McBrene O’Gonaght, McBrien Are, O’Molryan, with divers other, which, within few years, were all wild, and not conformable to any good order; and yet they be now ordered by the sheriffs of the shires, so as men may pass quietly throughout their countries at pleasure, without danger of robbing or other displeasure; and each of them lieth in his own country quietly without hindrance of other.”

“Other Irishmen’s countries betwixt that and Upper Ossory, as O’Kennedy and O’Dwyre and the Carrowlles, doth bear galloglasses to his Majesty without contradiction, which were wont to be mortal enemies to the English Pale. So as in all the circuit before mentioned is contained half the realm, which with small charge will be brought to civil obedience; and if all the countries were made counties that the law might have his course, then they would prosper; for the sheriffs would ‘put back their Irish laws and election of captains.’”

“Between Thomond and Galway lies Clanrickard, a plain champain country, which was governed by McWilliam, who after was created Earl of Clanrickard, and during whose time the country was in good stay and quiet. After his death, as his son Richard Bourke was but young, and ‘the country doubted whether he was mulier born or bastard,’ Sir Ullyeke Bourke was appointed captain during his nonage. When he came to his full age, he began to be at war with the said captain, and between them both the country was all wasted. Being sent with a small company to see them ordered, ‘within one fortnight, having put certain gentlemen to execution for their offences, by terror thereof and by other means, or that I left the country, I placed the earl quietly, and made every one of the country willing to answer and obey him, and took orders betwixt them for their contentions to the parties’ contentation, and left two ploughs manuring the land, where, at my going thither, there were not 40 ploughs in all the country, but all waste through war; which ploughing increaseth daily, thanks be to God! whereby the country [is] universally inhabited and so brought to quiet that now the people leaveth their plough, irons, and cattle in the fields without fear of stealing. The experience thereof declareth that there can be nothing so good to be used with such savage

people as good order to be observed and kept amongst them ; for execution of the law is more feared when it is done in order than any other punishment.” . . . . .

“Between Athloone and Clanricard is O’Kally his country, a captain of good power of horsemen, galloglasse, and kerne, and no men of Ireland of wilder nature than they be, and many times in time of war they have done much harm to the English Pale. And now lately, my Lord Deputy being at Athlone, I attended upon his lordship, at which time O’Kelly, by persuasion, was content to bear and yield to the house of Athloone as other in the English Pale did ; nevertheless, soon after, he refused to accomplish the same. And my Lord Deputy, upon his repair to Leinster, having left the oversight and charge of those of Connaught and divers other Irishmen with me, in the last week of Lent I went to O’Kellie’s countries, and assembled all the gentlemen of the country before me. And then, perceiving as well their untruth and slender keeping of promise, as also how that gentleness could not prevail, I took his son and put a handlock upon him, to have him brought with me to Dublin, and appointed a band of men to take up in his country such kine and victuals as he promised to my Lord Deputy for the victualling of Athloone ; and then he, perceiving the same, immediately did send his servants to the country to levy and take up a hundred beeves and other victuals for the furniture of the house of Athloone. And after that, he came into the house of Athloone, and made merry there during our abode, and willed the captain to use his country as he would the English shires ; so as it is unlike but that he and his country will from hence use honest obedience ; assuring your Grace that [he] durst not come within the said castle since it was newly builded till he came to my Lord Deputy when his lordship was there last. The same O’Kelly condescended to find a 100 of the king’s Majesty’s galloglas for a quarter, at my said Lord Deputy’s being there ; and also at my being there, he was contented that they should be cessed in his country accordingly, which is a great charge, payin[g] to every galloglas 4d. ster. by the day.” . . . . .

“Between Athlone and Offaly are the countries of O’Bryne, M’Coghlan, the Fox, O’Molmoy, and McGoghecan—‘very strong countries for woods, moors, and bogs, by means whereof much

cattle were stolen out of the English Pale.' All of them condescended to cut passes in their fastness. I sent for the same Irish captains to answer complaints, and for as many thereof as were duly proved, I caused the sheriff of Westmeath with 10 horsemen to distrain to the value of all the goods stolen. I caused them within four days to restore to the poor people £300, and besides to pay as much more to the king for a fine. 'Before this time no Irishman used to pay more than to restore the goods stolen, and for that the countries be no shire land, no thief can be punished by the law.' The sheriff 'with so few company will be so regarded as to put such orders in execution in so strong countries, which within seven years 800 men nor yet 1,000 were not able to bring to pass in any of those places.' . . . . .

"Next to the Annalee is a large country, well inhabited, called the Breany, wherein O'Raile is chief captain, who has seven sons. He and they make 400 horsemen of the same name, and 1,000 kerne, and 200 galloglas. 'The country is divided between them, which joineth to the English Pale upon a country called Plounkett's country, betwixt which countries there hath been divers murders, stealths, and robberies by night and day committed.' On the complaint of the inhabitants of both parties, in the absence of my lord deputy, I repaired to those borders. O'Reily was accompanied with 400 horsemen and 800 footmen, whilst I had not more than 100 horsemen and as many footmen. I required him to come to me with a few horsemen, and accordingly he did. I commanded him to deliver such pledge into my hand as I would name, and though he was loth so to do, yet at length he condescended. Upon receipt of his pledge, I made proclamation that every complainant at a certain day should meet to receive his due. On the next day of meeting I caused him to restore as much goods as were stolen and taken from the English Pale in 6 years before, which came to £400. I also caused him to pay £200 to the king as a fine for maintenance of such stealths. 'The like hath not been that a man of such power as he is of, would redeliver without greater circumstances do the same, whereby it appeareth that the poor and simple people be as soon brought to good as evil, if they were taught accordingly; for hard it is for such men to know their duties to God and to the king when they shall not hear preaching



or teaching throughout all the year to edify the poor ignorant to know his duty.' . . . . .

If the countries of Leix and Offally were made shire land, that men might have states of inheritance there by copyhold or fee-farm, and both the forts were made market towns, and if other former devices were put in execution, the king's profit would much increase, the countries would be well inhabited and manured, and his Grace's charge would be diminished. 'Such manurance will bring good cheap of corn and cattle, and the English Pale thereby will be discharged of exceeding yearly charges, for now there lieth between both the forts 6 or 700 soldiers daily in effect, and can do service out of the same countries, which standeth the king's Majesty as though they were extraordinary; assuring your Grace that the countries be now greatly charged with the finding of them, for they eat them the peck of wheat for 5s., which is sold in the market for 20s.; they also give them the beef for 12s., which is sold in the market for £4; yet the country do not grudge or gainsay the same, but like obedient subjects payeth the same without exclamation, which by alteration of the fort[s] would be redressed and a great redeem besides yearly had to his Majesty.' . . . . .

The next country to that, and the side of the Banne, is Tyrone, where the Earl of Tyrone hath rule, the fairest, and goodliest country in Ireland universal, and many gentlemen of the Neyles dwelling therein. The same is at least 60 miles in length and 24 miles in breadth. In the midst of the country standeth Ardmaghe, pleasantly situated, and one of the fairest and best churches in Ireland, and round about the same the bishops' lands. And through occasion of the earl and countess his wife they made all that goodly country [waste]; for whereas the country for the most part within these three years was inhabited, it was within this 12 months made most part waste, through his making of preys upon his sons, and they upon him, so as there was no redress among them, but by robbing the poor and taking of their goods, whereby the country was all wasted; whereupon my lord deputy appointed a band of English soldiers to lie in Ardmaghe, and left the Baron of Dongannen in commission with other to see for the defence of the country and quiet of the people, whereby the country was kept from such raven as before was used; and the earl and countess was

brought to Dublin, there to abide till the country were brought to a better stay. . . . Irishmen are now soon brought to obedience, considering they have no liberty to prey and spoil whereby they maintain their men, and without that they could have but few men. And the policy that was devised for the sending of the Earls of Desmond, Thomond, Clanricard, and Tyrone, and the Baron of Upper Ossory, O'Kerroll, McGynnes, and other into England was a great help of bringing those countries to good order, for none of them who went into England committed harm upon the king's Majesty's subjects. The winning of the Earl of Desmond was the winning of the rest of Munster with small charges. The making O'Brien an earl made all that country obedient. The making of M'William Earl of Clanrickard made all the country during his time quiet and obedient, as it is now. The making of McGilfadrick Baron of Upper Ossory hath made his country obedient, and the having of their lands by Dublin is such a gage upon them, as they will not forfeit the same through wilful folly. And the gentleness that my lord deputy doth devise among the people with wisdom and indifference doth profit and make sure the former civility, so as presidents in Munster, Connaught, and Ulster by God's grace make all Ireland without great force to be obedient, and all Ireland being made shire land that the law may take his right course, and all men through good persuasions brought to take their lands of the king's Majesty to them and their heirs for ever, and preachers appointed among them to tell their duties towards God and their king, that they may know what they ought to do. And as for preaching, we have none, which is our most lack, without which the ignorant can have no knowledge, which were very needful to be redressed. Irishmen were never so weak, and the English subjects never so strong as now."\*

\* Carew MSS., Vol. I., pp. 235, 246.

---

## CHAPTER XVI.

---

### THE REIGN OF PHILIP AND MARY.

THE immediate results of the death of Edward VI. may be realised from the account by Bishop Bale of the events which befell himself.

“As soon as it was noised abroad that the king was departed from this life, the ruffianess of that wild nation not only rebelled against the English captains (as their leud custom in such changes has been always), chiefly no English deputy being within the land, but also they conspired into the very deaths of so many English men and women as were left therein alive; minding, as they then stoutly boasted it, to have set up a king of their own. And to cause their wild people to bear the more hate to our nation, yet very falsely, they caused it to be noised over all that the young Earl of Ormond and Barnabe, the Baron of Upper Ossory’s son, were both slain in the Court of London.”

“On the 20th of August was the Lady Mary with us at Kilkenny proclaimed Queen of England, France, and Ireland, with the greatest solemnity that there could be devised of processions, musters, and disguisings—all the noble captains and gentlemen thereabout being present. What-a-do I had that day with the prebendaries and priests about wearing the cope, crozier, and mitre in procession, it were too much to write. I told them, earnestly, when they would have compelled me thereto, that ‘I was not Moses’ minister, but Christ’s.’ I desired them not to compel me to His denial, which is, as St. Paul saith, in the repeating of Moses’ sacraments and ceremonial shadows.—Gal. 5. With that, I took Christ’s Testament in my hands, and went to the Market Cross,



the people in great number following. Then took I the 13th Chapter of St. Paul to the Romans, declaring to them briefly what the authority was of the worldly powers and magistrates, what reverence and obedience was due to the same. In the meantime, had the prelates got two disguised priests, one to bear the mitre before me, and the other the cross, making three procession pageants of one. On the Thursday after, which was the last day of August, I being absent, the clergy of Kilkenny, by procurement of that wicked Justice Hothe, blasphemously resumed again the whole Papism, or heap of superstition of the Bishop of Rome; to the utter contempt of Christ and His Holy Word; of the king and Council of England, and of all ecclesiastical and politic order, without either statute, or yet proclamation. They rung all the bells in the Cathedral minster and parish churches, they flung up their caps to the battlement of the great temple, with smilings and laughings most dissolutely—the Justice himself being therewith offended—they brought forth their copes, candlesticks, holy water, stock, cross, and censers; they marched forth in general procession most gorgeously, all the town over, with *Sancta Maria, ora pro nobis*, and the rest of the Latin Litany. They chattered it, they chaunted it with great noise and devotion; they banquetted all the day after, for that they were delivered from the Grace of God into a warm sun. On the day next following, which was Saturday, in the afternoon, the foresaid treasurer, a man unlearned, and therewith an outrageous wh—keeper, resorted to me with a number of priests to tempt me, like as Satan did Christ in the wilderness, saving, that Satan to Christ offered stones, and that tempting treasurer both apples and wine. And, as they had then compassed me in round about, the said treasurer proposed unto me that they were all fully minded to have solemn exequies for King Edward lately departed, like as the queen's Highness had had them in England. I asked them how that was? they made me answer with a requiem mass and dirge. Then asked I of them again—who should sing the mass? and they answered me that it was my bounden duty to do it, being their bishop. Then said I unto them, 'Massing is an office appointed of that Antichrist, the Bishop of Rome, to whom I owe no obedience, neither will I owe him any so long as I shall live. But, if ye will have me there to do that

office, which Christ, the Son of God, hath earnestly commanded—which is to preach His holy Gospel, I will do it with all my heart.’ ‘No,’ said they, ‘we will have a solemn mass, for so had the queen.’ ‘By my troth,’ said I, ‘then must ye go seek out some other chaplain; for, truly of all generations, I am no massmoner, for, of all occupations, methinks it is most foolish; for there standeth the priest disguised like one that would show some conveyance or juggling play; he turneth his back to the people, and telleth the tale to the wall, in a foreign language; if he turn his face to them, it is either to receive the offering; either to desire them to give him a good word, with *orate pro me, fratres*, for he is a poor brother of theirs; either to bid them God speed with *Dominus vobiscum*, for they get no part of his banquet; either else to bless them with the bottom of the cup with *benedictis dei* when all the breakfast is done, and of these feats,’ said I, ‘can I vow little skill.’ With that, the treasurer, being in his fustian fumes, stoutly demanded a determinate answer as though he came not thither without authority. Then suspected I somewhat the wickedness of Justice Hothe and such other; notwithstanding, I asked him once again, ‘what profit he thought the king’s soul to have of those funeral exequies?’ Then answered one of the priests that God knew well enough what he had to do. ‘Yet you must appoint him,’ said I. ‘If these poor suffrages be a way for him to heaven, and that he cannot go thither without them, ye are much to blame, that ye have deferred them so long. Ye had,’ said I, ‘a commandment the last Saturday of the Justice Hothe, to have solemnised them that night and the next day after. But the devil, which that day danced at Thomastown (for they had a procession with pageants), and the *aqua vitæ* and the rob-davey thereall would not suffer ye then to do them. I desire you, considering that the last Sunday ye deferred them to see the devil dance at Thomastown, that ye will also this Sunday defer them, till such time as I send to the queen’s commissioners, at Dublin, to know how to be discharged of the oath, which I made to the king and his Council, for abolishment of that Popish mass. For I am loath to incur the danger of perjury;’ with that, after a few words more, they seemed content, and departed.”

“The next day came thither a proclamation, that they which

would hear masses should be suffered so to do, and they that would not should not thereunto be compelled. Thus was that building clearly overthrown; and that practice of blasphemy would not take at that time, as God would. And, as I had continued there certain days, I chanced to hear of many secret mutterings that the priests would not so leave me, but were still conspiring my death. It was also noised abroad by the Bishop of Galway and others, that the Antichrist of Rome should be taken again for the supreme head of the Church of Ireland; and, to declare a contemptuous change from religion to superstition again, the priests had suddenly set up all the altars and images in the cathedral church. Beholding therefore so many inconveniences to ensue, and so many dangers toward, having also, which was worst of all, no English deputy or governor within the land to complain to for remedy, I shook the dust off my feet against those wicked collegyners and priests, according to Christ's commandment (Matth., chap. x.), that it might stand against them as a witness at the day of judgment. The next day, early in the morning, by help of friends, I conveyed myself away to the Castle of Lechlin, and so forth to the city of Dublin, whereat I, for a certain time among friends, remained."

If Bishop Bale said and did half what he reports of himself, which, considering the tone of the Vocacyon, no one is much called on to believe, it speaks much for the good temper of the priests and people of Kilkenny that he ever succeeded in escaping to Dublin at all.

On his arrival in Dublin, he found that Archbishop Browne, probably anxious to accommodate himself to the new Government, would have nothing to do with him; upon which he breaks out into the following sketch of Browne:—"As the epicurose archbishop had knowledge of my being there, he made boast upon his ale bench, with the cup in his hand, as I heard the tale told, that I should for no man's pleasure preach in that city of his. But this needed not; for I thought nothing less at that time than to pour out the precious pearls of the Gospel afore so brockish a swine as he was, becoming thereof a dissembling proselyte, a very pernicious Papist. And as touching learning, whereof he much boasted among his cups, I know none that he hath so perfectly exercised as



he hath the known practice of Sardanapalus; for his preachings twice in the year, of the ploughman in winter, by *exit qui seminat*, and of the shepherd in summer, by *ego sum pastor bonus*, are now so well known by rote of every gossip in Dublin, that afore he cometh up into the pulpit they can tell his sermon.”\*

The position of the bishops of the Reformed Church was pitiable in the extreme; they had not sought the truth or preached the Scriptures, but had rested on the law, and proclaimed no Gospel but the king’s supremacy; they had conformed themselves unto the king’s commandments, as Christ had been subject unto Cæsar; asserted that England and Ireland were under one king, and that they were true subjects of his, sworn to obey his commandments, and doing so, they had wholly forgotten to appeal to any higher motive, or adduce any more solid argument.

And now a Catholic sovereign reigned across the Channel. England had returned to the allegiance of the pope; the weapon they had used against the old religion was turned against themselves; upon their own principles they were bound to submit themselves to the pope, whom they had abused, to resume the mass, which they had ridiculed, to replace the images of the saints, which they had defaced.

A tract in the 5th volume of the Harleian Miscellany records the tradition that Browne reconciled himself to the Church which he had so long bitterly opposed. Whether this be true or not—and it were unfair upon such slight testimony to find that he did so—neither he nor any of the reformed bishops offered any resistance. Staples, Browne, Lancaster, Travers, and Casey were deprived of their sees. Bale, more offensive to the Catholic party than any other, had fled to Geneva.

With the bishops, the Reformed Church itself disappeared; the officials of the Castle were always of the religion of the Crown; the Butlers acted in religious matters as the king or queen desired; no honest converts had been gained; no attempt had been seriously made to convert any, and the whole nation, without a struggle, returned again into the ancient faith.

The Reformed Church disappeared; but how far was the Roman

\* Harleian Miscell., Vol. VI., *ut supra*.

Church restored to its former position? The destruction of the new Church did not necessarily involve the complete restoration of the old. Though Mary, as a Catholic, was desirous to re-unite the Church to the Catholic Church of the Continent, to restore the ancient dogmas and ritual, as a Tudor, she was unwilling to resign any prerogative of the Crown, or to restore any property within her grasp.

With the exception of the papal supremacy, which she rather admitted in theory than submitted to in practice, her Church policy was substantially the same as that of her father. In Ireland she was embarrassed by no Protestant minority; here she was able to carry out a policy of restoration to any extent which she might desire, and thus her Church policy in Ireland is the earliest proof of what her own views and intentions were. It is necessary to comprehend the Church policy of Mary, if we would understand how, shortly after the accession of Elizabeth, we find an official reformed Church of the type of Henry's reign re-introduced into this country.

The queen professed to be most zealous on behalf of the Catholic Church. The instructions to Lord Fitzwalter commence thus:—  
“ Our said deputy and Council shall, by their own good example, and all other good means to them possible, advance the honour of Almighty God, the true Catholic faith and religion now by God's great goodness and special grace recovered in our realms of England and Ireland; and namely, they shall set forth the honour and dignity of the Pope's Holiness and See Apostolic of Rome, and from time to time be ready with our aid and secular force, at the request of all spiritual ministers and ordinaries there, to punish and repress all heretics and Lutherans, and their damnable sects, opinions, and errors. And where the most reverend father in God, our right trusty and right entirely beloved cousin, the Lord Cardinal Pole, being sent unto us from the Pope's Holiness and the said See Apostolic, legate of our said realms, mindeth in brief time to despatch into our said realm of Ireland certain his Commissioners and officials, to visit the clergy and other members of the said realm of Ireland, our will, pleasure, special regard, and express commandment is, that our said deputy and Council shall, in all and everything belonging to the function and office legatine, assist, aid, and

further the same Commissioners, officials, their ministers, and commandments, for the advancement of God's glory, and the honour of the See Apostolic, so that the same Commissioners and officials shall on their return report no lack in our said deputy and Council, or any other our ministers and good servants in this part."\* How far was the spirit of these instructions actually carried out? The mass was restored by Sir A. St. Leger under an order in Council, and the Reformed Bishops expelled from their Sees. This followed as a matter of course; but beyond this, the queen had no intention of surrendering any power or title, or of restoring any of the confiscated property of the Church.

The letter from the English Privy Council announcing her accession describes her as "Queen of England, France, and Ireland, Defender of the Faith, and *on earth the supreme head of the Churches of England and Ireland.*"† As such supreme head she appointed the new bishops; she reinstated as primate Dowdall, who had been appointed by Henry VIII., and had never obtained any Bull of confirmation from the Holy See, instead of Wauchop, who had been appointed by the pope to that office.‡ For the election of Rowland Baron, otherwise Fitzgerald, to the See of Cashel, a *congé d'élire*, was directed to the chapter of that See.§ His consecration was performed pursuant to letters patent addressed to the Primate. Bale's successor, John Thonerey, was also elected pursuant to a *congé d'élire*.|| For the appointment of the same bishop a letter was addressed to the deputy, of the following tenor:—

"Whereas, we perceive the bishoprick of Ossory to be void, we have thought good for the learning and integrity of life, which we understood to be in John Thonerey, B.D., to nominate and appoint him to the same bishoprick; these shall be, therefore, to will and command you to make Letters Patent under our Great Seal to the said John of the bishoprick, and to give further order for his consecration and installation according to the order of our said realm."¶ A similar letter was written in the case of the Archbishop of

\* Carew MSS., Vol. I., p. 252.

[† Wauchop had died in 1551.]

|| Morrin, Vol. I., p. 306.

† Morrin, Vol. I., p. 304.

§ Morrin, Vol. I., p. 306.

¶ Ibid., Vol. I., p. 319.



Cashel.\* In the oath of the lord deputy this clause appears :—"Ye shall maintain and defend the laws of God and the Christian faith, and so far as their Majesties' laws do or shall permit the usages, rites, ceremonies, and liberties of the holy Church."† When the Earl of Tyrone requested that a chaplain of his might be established in the priory of the cathedral church of Down, for which he had obtained the pope's Bulls, she desired the deputy to inform the earl "that we intend to maintain our prerogative left unto us by our progenitors in that behalf."‡

The papal power of appointing by proviso was not admitted by the Government. In his submission (Dec. 3, 1553), Magennesse promises to be the queen's faithful subject, and not to admit any provisor from the Roman See.§

In the matter of the former property of the Church, she granted it away as freely as her father or brother. On the 23rd October, 1553, she writes to the deputy: "Whereas divers persons have required of us the farm of such parcels of land as be hereinafter mentioned, that is to say, the Baron of Dunboyne desires the farm of the late monastery of Holycross and the Hooore Abbey. Matthew King, the farm of certain lands and tithes, situate in the borders of Leix, to the yearly value of £50. R. Mannering, the farm of the possessions of the house of St. John in the Naas, to the yearly value of £35 18s. 2d. Brien O'Thoell, the farm of the tithes of Fercullen, of the yearly value of 20 marks. Sir John Travers, the farm of certain tithes, of the yearly value of £5 4s. Andrew Browerton, the farm of the parsonage of Swords,"—and directs that these premises, if unleased and unoccupied by prior grantees, should be leased for twenty-one years, reserving to the Crown such rent as had hitherto been reserved by the best survey. In the same letter similar directions are given as to the houses of St. John's, near Kells, and St. Mary, near Drogheda, and the rectories of Rathayne, Rathregan, and Athsie, and also the parsonage of Sydon.|| The queen specially directed a lease to be granted to

\* Morrin, Vol. I., pp. 306, 310, 318.

† Id., pp. 338, 339.

‡ Carew MSS., Vol. III., p. xxii. Hamilton, Cal. 1, 147.

§ Id., Vol. I., p. 247.

|| Morrin, Vol. I., p. 300.

Patrick Sherlock of the site and demesne lands of the late dissolved houses of St. Catherine, near Waterford, and Mothill, in the county of Waterford.\* Numerous pardons for the alienation of Church property are also found upon the Chancery Rolls.

The claim of the Crown to appoint bishops was sometimes waived in favour of papal nominees ; the title of the Archbishop of Dublin is apparently referred to a Bull from Rome.† Letters commendatory in favour of Roger Skiddy were addressed to the pope, but these were certainly to procure his appointment to the Sees of Cork and Cloyne, the patronage of which is expressly stated to have been in the Crown.‡ The general tenor of her Church government has been thus fairly described :—“ With all her respect for the pope, as the spiritual head of her Church, with all her desire of securing his approbation, with all her attachment to the old religion, it is quite clear that she never intended to abate or diminish that authority in ecclesiastical matters which her father and her brother had exercised before her. As their supremacy had been employed in maintaining ‘ the rites, ceremonies, and liberties of the Church,’ conformably to their own interpretation of them and that of the nation at their time ; so hers is governed by similar considerations, but with different results.” §

Although the mass had been restored, all the Acts of Henry VIII. remained upon the Statute Book, nor was it until 1556 that parliament was required to assist in the restoration of the Catholic Church. In 1555, a Bull was enrolled in Chancery, dated June 7th, 1555, whereby the pope absolved the king and queen from all excommunications and ecclesiastical censures, and erected Ireland into a kingdom.|| A subsequent Bull was obtained from the pope, Paul IV., to legalise the course of legislation intended to be taken with regard to the Church property. The title of the 3rd and 4th Philip and Mary, chapter 8, sufficiently explains the nature of the compromise between the pope and the Crown ; it is entitled, “ An Act repealing statutes and provisions made against the See Apostolic of Rome, since the 20th year of King Henry VIII., and *also*

\* Morrin, p. 337.

† Id., p. 339.

‡ Id., p. 377.

§ Carew MSS., Vol. III., p. xxli.

|| Morrin, Vol. I., p. 339.

*for the establishment of spiritual and ecclesiastical possessions and hereditaments conveyed to the laity."*

This Act, commencing with a recital of the introduction of false doctrines in the country and the intercession of the Cardinal Pole with his Holiness, sets out at full length the Bull of Paul IV., authorising the subsequent enactments ; it then testifies as to the repentance of the parliament, who thereupon return their thanks to her Majesty. The second section confirms dispensations granted by Cardinal Pole of breaches of the canon law. The third section, with extreme verbosity, recites that ecclesiastical estates and property had been conveyed and assured to divers the subjects and bodies politic of the realm, as well by Henry VIII., Edward VI., and by their then Majesties, as by owners of ecclesiastical property, and that although the pope had removed all manner of impeachment rising from canon or ecclesiastical law, yet that the title to lands was grounded only upon the laws and customs of the realm, and could be impleaded only in the queen's courts, and that it was the intention of her Majesty that all persons should enjoy the estates which they then had ; and then enacts that the Crown and all other persons then having or thereafter to have the sites of the late monasteries and other religious places, &c., should have and enjoy the same according to the interest or estate they then had or thereafter might have in the same, "by the due order and course of the law and statutes of the realm, which now be, or were standing in force before the first day of this present parliament, in manner and form as they should have done if this Act had never been had or made." The next section confirmed all deeds affecting confiscated ecclesiastical property ; subjected to the danger of the Act of præmunire all who should issue processes out of ecclesiastical courts, to disturb the owners of any of the alienated estates or properties. The tenth section regulated the admission of papal Bulls into the kingdom, enacting "that all Bulls, dispensations, and privileges obtained before the 20th year (of Henry VIII.), or at any time since, or which shall hereafter be obtained of the See of Rome, not containing matter contrary or prejudicial to the authority, dignity, or pre-eminence, royal and imperial, of these realms, or to the law of this realm being now in force, and not in this parliament repealed, may be put in execution," &c. The earlier



sections having confirmed the confiscation of monastic property, the 12th and 13th sections permitted that, for the space of twenty years, lands might be devised to spiritual bodies without any licence of mortmain. The 14th section enacts that nothing in the Act should be taken to diminish the power and prerogatives of the Crown, and that the pope's supremacy should be restored as it was before the 20th year of Henry VIII.

The Crown, thus established in its possession of the estates of the monasteries, continued to make grants of them down to the end of the reign. In the 5th and 6th of Philip and Mary there are enrolled in Chancery grants of the estates of the following monasteries :—The monastery or priory of St. Mary de Urso ; the houses of the Augustine Friars, of the Carmelite Friars, and the hospital of St. Lawrence the martyr in Drogheda ; the monastery of Athassel, and the abbeys of Jerpoint, Callan, and Tully Ophelin, and of the monastery of Granard.\*

No attempt whatsoever was made to unite the English and Irish inhabitants upon the basis of a common religious confession ; the bishops under Mary were as willing as their predecessors, before the 20th Henry VIII., to employ the powers of the Church against the wild Irish. In one of the "petty suits" made to the queen by the primate, the following passage occurs : "Item. Where there is no remedy or redress had against the Irishmen that doth not answer Writ or Bill for any hurts that they do either to bishop or any inferior prelates, but only by the censures of the Church as hath ever continued there. And yet some of the learned men there beith of that opinion that it should be cause of præmunire to curse any of them in any temporal cause, as well as to curse a subject, if remedy may be duly had by the course of the king's lawes ; it may please her Highness to grant me to have at all times liberty and license to exercise and minister all kind of ecclesiastical censures against the *said wild Irish*, that do not answer Writ nor Bill, neither remedy otherwise can be had against them, but only by the same ; and with this the reservation of all old liberties that her Grace's ancestors granted to the See of Ardmaghen, and

\* Morrin, Vol. I., p. 394. See also the grant to James Sedgrave of the Abbey of the Hogges, and others. Id., 302.

archbishops there for the time being, with a protection to the said Ardmacken, being my chief See, that it be not hindered in time to come by her Grace's deputy or soldiers, as it hath been now of late."\* By letter of the 4th August, 1558, Surrey was directed to suffer the primate, without peril of the laws, to exercise and use all manner of ecclesiastical censures against the disordered Irishry.†

Except the temporary establishment of the Roman ritual, the Catholic Church was in no degree benefited by the accession of Mary: none of the evils which had paralysed the action of the Church before the 20th of Henry VIII. were remedied; none of the wounds inflicted upon that Church during the reigns of Henry and Edward were cured; no attempt was made to restore the monasteries,‡ or to re-establish and strengthen the parochial secular clergy, or to enable the Church to act as an organised living body, or to unite the English and the natives in one national Church: on the contrary, the confiscation of Church properties was confirmed, and the undisposed of residue of them leased out or granted away; the bishops were appointed in most instances by the Crown, as in the time of Henry VIII.; the contempt of high English ecclesiastics for the mere Irish was exhibited as before. When Mary died, the Catholic Church was a mere shadow of its former self, with its monastic element totally destroyed, and the independence of its secular members, or of such of them as still existed, crushed out. Upon the accession of Elizabeth, as an institution, it retained no elements of resistance.

The history of the reign of Mary and Philip contradicts the theory that, in the sixteenth century, religious differences had any connexion with the conduct of the native Irish or of the English

\* Carew MSS., Vol. III., p. xviii.

† Ham. Cal., p. 168.

‡ The only exception was the priorship of St. John of Jerusalem, at Kilmainham, which, at the request of the king and queen, the Cardinal Pole by his legatine power restored to its former possessors in 1557, and appointed Oswald Massingberd prior. This appointment was confirmed by her Majesty's letter patent in the following month. The new prior fled the country upon the accession of Elizabeth, and the priorship was again suppressed by the Act of the 2nd Eliz., chapter 7. It is difficult to understand why this peculiarly useless order should have been made the object of such special favour.

Government. The accession of Mary was attended with an outbreak of some of the native chiefs, who, if they believed that the hand of a Catholic sovereign would be lighter than that of Henry VIII., were soon disappointed. Catholic sovereigns thought it was necessary to enforce order in Ireland by the strong hand, as Protestant sovereigns had done before them; Catholic deputies thought themselves justified in burning villages, raiding upon native tribes, and shooting down rebels, as much as Protestant deputies had done.

Both Protestant and Catholic writers concur in this view of Mary's reign. "It is observable," writes Cox, "that though she was a very zealous Papist, yet the Irish were not quieter during her reign than they were under her brother; but, on the contrary, their antipathy against Englishmen and Government induced them to be as troublesome then as at other times, and prevailed with Mr. Sullivan to give this severe character of her reign—that although the queen was zealous to propagate the Catholic religion, yet her ministers did not forbear to injure and abuse the Irish. '*Quæ tamen etsi Catholicam religionem tueri et amplificare conata est, ejus tamen Præfecti et conciliarii injuriam Ibernis inferre non desisterunt.*'"<sup>\*</sup>

More than this—in the instructions of this reign, the policy of conciliation is gradually changing for that of violence; in the commissions to officers are found the rudiments of those extraordinary powers which were ultimately elaborated into the commissions of the provincial deputies of the reign of Elizabeth; and, further, in this reign, for the first time, the Government yielded to the advice so constantly offered by the Dublin officials, to confiscate the lands of an entire tribe, and replace them by English colonists and adventurers.

The intentions and objects of the English Government are, as usual, set forth in the instructions to the deputies. In the instructions to Lord Fitzwalter,† the following passages occur:—  
 "And where also rebels and malefactors have used some contemptuously, some arrogantly, to come into our said deputy, upon safe-

<sup>\*</sup> Cox, p. 309.

[† Afterwards Earl of Sussex.]



conduct and comerique, and also in effect refused to come, which for a time hath served in lieu of pardon, and to some others hath ministered occasion of pride and insolence ; we therefore require and charge our said deputy to use great discretion, and like temperance in granting any such safe-conduct and comerique. And forasmuch as, for lack of justice, malefactors have late years more and more increased, being the fees of the ministers of the law nevertheless doubted to the end that they should ride abroad into the wild countries to minister justice, and see our laws executed upon the evil, which they have not done, and (as we understand) is most earnestly required of many of our good subjects, both noblemen and others inhabiting in every quarter of our said realm. We therefore will that our said deputy and Council give order that unto all quarters of our said realm there be addressed to some of our Judges, Barons, learned Council, and other discrete and wise men aptly chosen for the place, commissions of Oyer and Determiner, addressing letters in our name to the great men and other good subjects of every quarter of the realm aforesaid, to assist and obey the same diligently and effectually.”—“ Likewise, of our wardships, liveries, wood sales, customs, subsidies, and other escheats, we are answered small profits, although indeed great profit should by such things rise ; and what great commodities of that realm be vented out to foreign ports is well known. We also understand that in the Irish countries, under Irish lords and others, great impositions, pains, orders, and commandments are laid and put upon the subjects ‘*pro arbitrio et voluntate prebentis*,’ and whoso breaketh, transgresseth, or refuseth, is finally enforced to pay the uttermost penny without redemption, being that the chief means to keep the people under them in awe and always ready to do their will in all things. Our pleasure therefore is that our said deputy, with the advice aforesaid, shall cause the barons and officers of the Exchequer to do their office and duty truly and diligently, in getting in our rents, duties, perquisites, profits, customs, and all other things, that the same court is charged with, so as we be thereof fully answered at the times of payment in that court accustomed.”\*

\* Carew MSS., Vol. I., p. 252.

The meaning of these instructions would seem to be that the right of self-government tacitly conceded to the tribes by the indentures so numerous executed in the reign of Henry VIII. should be disregarded; that the English laws should be administered throughout the entire country; and that, in addition to their stipulated military services, the several chiefs should be subjected to feudal and fiscal impositions.

The instructions to the Earl of Sussex show that the Government was prepared to support their policy by force: "The disorders of the said realm, as well by the rebellion of the Chonores and Mores, as the daily access and increase of Scots in the same, are so great and many, that without extraordinary force neither the said rebels can easily be reduced to their obedience, nor the said Scots expelled. Their Majesties therefore have determined for a time to continue all such numbers of captains and soldiers, both English and others, as presently be waged there, appearing in the Clerk of the Checks' book, besides 800 footmen now sent out of England, and 200 kerne appointed to be newly levied in the said realm of Ireland. As the inhabitants of the north parts of Ireland are much given to disorder, and the potentates of the same are very much inclined towards the Scots, the deputy shall use his best endeavour to punish and redress the disorders there."\* The vigorous exertions of a Deputy received commendation from the Crown. The Queen writes to the Irish parliament in 1555:—"Having understood and considered the good order and success that our well-beloved Lord Fitzwalter, our Deputy, hath taken and had in our service for the time of his charge there, both in expulsiug of the Scots, plaguing of our rebels, and reducing that disorderly realm to better state of good rule and tranquillity than it was lately in."† There was no reluctance on the part of the Government in giving ample authority to its commissioners. In August, 1556, the Archbishops of Dublin and Armagh, with others, were authorised "to take and establish ordinances and agreements with them (the rebels), and compel them to observe the same—to resist and punish, with sword and fire, and otherwise, those enemies and rebels who

\* Carew MSS., Vol. I., p. 273.

† Morrin, Vol. I., p. 360.

should attempt any evil against the Crown or people—to levy and enlist in the army the people of those districts for the defence of the faithful subjects thereof.”\*

The Government fell back, during this reign, into the feeble, yet violent measures of former days. The Deputies neither, as St. Leger, conciliated, nor, as Bellingham, for a time at least, over-awed the native chiefs. The Deputy (the Earl of Sussex) returned to the old system of ineffectual and exasperating raiding. The Athlone pursuivant-at-arms describes one of these useless excursions:—“Friday, 22nd October, 1557, in the falling of the night my Lord Deputy departed Dublin, and lay that night, with Mr. John Blunkett, at Dounchauller. Saturday, the 23rd, he rode to my Lord of Louth’s house, and there lay until Sunday, the 24th, after dinner. Then he rode to Dundalk, and there remained himself that night, but sent forth all the horsemen, that is to say, my Lord of Louth and his men; the Knight Marshall and his band; the Baron of Dungannon; Sir James Garland, Sir John Beadlowe, and the gentlemen of Uriell; Mr. Francis Aggard and his band, and Captain Girton and his band. On the 25th he departed Dundalk, accompanied by Mr. John Parker, Master of the Rolls; Captain Warren, and his band of footmen; Captain Seaforth, who led the band of footmen of Mr. Treasurer’s; and Captain Bostock, who led Mr. Marshall’s band of footmen. Our horsemen being descried, Shane Donnolloh O’Neil and his men fled, and *our horsemen went and gathered a prey*. My Lord Deputy came before the falling-in of the night a good while to Ardmahe, and *there camped in the church*. On Thursday, the 28th, we had a false alarm or two given us. On Wednesday morning, after we had spoiled and taken what we were able, we set fire to the town of Ardmahe, and so departed to the Newry, where my Lord lay. On Thursday, the 28th, my Lord came to Dundalke, but as he was coming to Sir John Beadlowe’s house or town, news was brought that Shane O’Neil was in camp within three or four miles, and had burned and preyed a town of Sir James Garland’s. The news was true. Then my Lord, with as many light horse as were able to follow, rode after them with all speed, but they were in their fastness. My Lord would have given

\* Morrin, Vol. I., p. 369.



the onset on them, but Sir James Garland and the gentlemen of Uriell would not suffer him. On the morrow *the prey was divided*, and my Lord rid that day to Mr. Dracott's house, and over the river homeward, the 30th of October, to Dublin."\* It appears from a letter of the Primate to the Council in England that the Deputy on this occasion burned the cathedral of Armagh and three other churches.†

Expeditions of this description were enough to undo the web of policy which Sir Anthony St. Leger had woven for years. These expeditions are always represented in official documents in the most favourable light. What the English soldiers thought of such operations, may be imagined from the following passage of the reign of Henry VIII. :—"The Deputy, according to his commission, marched into the north. But, alas, he neither found France to travel in, nor Frenchmen to fight withal. There were no glorious towns to load the soldiers home with spoils, nor pleasant vineyards to refresh them with wine. Here were no plentiful markets to supply the salary of the army if they wanted, or stood in need ; here were no cities of refuge, nor places of garrison to retire into, in the times of danger and extremity of weather ; here were no musters ordered, nor lieutenants of shires to raise new armies ; here was no supplement of men or provisions, especially of Irish against Irish ; nor any one promise kept according to his expectation ; here were, in plain terms, bogs and woods to lie in, fogs and mists to trouble you, grass and fern to welcome your horses and corrupt and putrefy your bodies ; here was killing of kine and eating fresh beef, to breed diseases ; here was oats without bread, and fire without wood ; here were smoky cabins and nasty holes ; here were bogs on the tops of mountains, and few passages, but over marshes, or through strange places ; here was retiring into fastnesses and glens, and no fighting, but when they pleased themselves ; here was ground enough to bury your people in being dead, but no place to please them while alive ; here you might spend what you brought with you, but be assured there was no hopes of relief ; here was room for all your losses, but scarce a castle to receive your spoil.

\* Carew MSS., Vol. I., p. 267.

† Hamilton, Cal., p. 140.

and treasure. To conclude: here was all glory and virtue buried in obscurity and oblivion, and not so much as a glimmering hope that how valiantly soever a man demeaned himself it should be registered or remembered.”\*

But if the English were weary of the tedious policy of conciliation; and raidings and plunderings did not promise to lead to a conquest of the island, there was yet a third course which might be adopted—that advice which, with persistent importunity, the Irish Executive had thrust upon Henry VIII., in innumerable plots, books, and devices, and to which he had constantly turned a deaf ear—the confiscation of the Irish districts, and their plantation by English colonists. Such a scheme, the fruitful cause of misery to this island ever since, was for the first time adopted by the Government of Queen Mary, and embodied in the Act of Parliament of the 3 & 4 Philip and Mary, chapters 1 and 2.

No Irish tribe had been the cause of such constant annoyance to the English Government as the O’Connors. They, with the O’Mores, occupied the districts of Leix and Offaly, in the present King’s and Queen’s Counties. The territory they occupied was theoretically portion of the estate of the Earls of Kildare, to whom their chiefs in the sixteenth century were bound by alliance and interest. Their district, then a wild, pathless tract of forest and bog, was almost inaccessible to the hostings of the Deputy. It menaced the Pale on the south-west, and on one side threatened the communications between Dublin and Kilkenny, as did the Wicklow mountaineers on the other. The O’Connor took a black-rent of £20 from the English of Kildare, and another of £500 from those of Meath. In 1528 O’Connor took prisoner the Deputy, Lord Delvin. In 1534 this clan were the most active supporters of the Lord Thomas Fitzgerald, in the confiscation of whose estates the territories occupied by the O’Connors and O’Mores were included. Some arrangement was patched up between the Deputy and the O’Connors; but in 1537 the Lord Deputy invaded their territory, upon the failure to pay a fine of 800 cows. The result of this excursion was the capture of the castle of Dengen, and total defeat of the head of the clan. Subsequently, Lord L. Grey repented of

\* Harleian Miscell., Vol. VI., p. 366.

“the cruel and extreme handling” which O'Connor had been subjected to, and had a personal interview with him; and an arrangement was made with him similar to those entered into with other chiefs. Unfortunately for O'Connor, much of his territory had been granted by the Crown as portion of the forfeited estates of the Geraldine family. In 1540 O'Connor was again in the field, capturing and destroying Castle Jordan. Again, a hosting was had against him, and a peace of some kind was effected. In 1545 the Irish Government, or rather St. Leger, proposed to grant O'Connor a peerage, and to secure his fidelity, as had been that of the other Irish chiefs. In 1548 O'Connor and O'More repaired to the English Court, but, if they desired to obtain favourable terms, were entirely unsuccessful. The confiscation and re-granting of estates was a process most agreeable to the English Government of that reign; and Sir E. Bellingham was ready to build and garrison any forts necessary. English grantees were to be put into possession of their lands in Leix and Offaly, and great expectations were entertained of the success they were to achieve and the rents they were to pay. Two forts were built, one the fort of Faly, called “the Governor,” the other the fort of Leix, named “the Protector.” Many English came over—Barringtons, Cosbies, Breretons, Hoven-dens, &c. In the instructions to Sir A. St. Leger (July, 1550), and to Sir James Croft, is the paragraph—“As the counties of Offallye and Leix, lately called O'Connor's Country and O'Moore's Country, are now in good towardness to be wholly in our hands and possession, and yet not in perfection, the Deputy and Council are to take order for the full and ample possession of the same countries, and also for the surveying thereof and to let them to farm or otherwise, for terms of 21 years, allowing the farmers one or two years rent free.”\* During the whole of Edward's reign, especially during Bellingham's viceroyalty, fighting went on in Leix and Offaly, with great loss of life, and at enormous expense to the English Government. On Queen Mary's accession, the O'More swept all the settlers planted by the two preceding Deputies out of their territories.

The Queen might have remembered that the origin of the

\* Carew MSS., Vol. I., p. 229.



misfortunes of the O'Connors had been their supporting a rebellion which was in favour of the Catholic Church, or at least professed to be so, and following as allies or vassals the head of the great Geraldine house, the last heir of which she had lately restored to his title and estates. The Queen pursued the previous English policy as to the O'Connors; but the contest was no longer to be between the natives and the royal patentees—the entire district was to be taken into the hands of the Crown, to be made shire land; tribe rights, Celtic laws, language, and manners, were to disappear, and the districts were to form the first English settlement or plantation. For this purpose the Acts of the 3 and 4 Philip and Mary, chapters 1 and 2, were passed. In the former Act it is recited:—“Where the countries of Leix, Slewmargin, Offallie, Irrie, and Glenmalire, which belong of right to the King and Queen's most excellent Majesties, were of late wholly possessed by the Moores, the Connors, the Dempsyes, and other rebels, and now by the industrious travaile of the Earl of Sussex, now Lord Deputy of Ireland, be brought again to be in the possession of their Majesties, and so remain to be disposed as to their Highnesses shall be thought good; forasmuch, as the well disposing of the aforesaid countries, and planting of good men there, shall not only be a great strength to those quarters, but also a wonderful assurance of quiet to all the rest of the English countries, and a great terror to all the Irish countries bordering upon the same; therefore, at the humble request of the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same, &c., that the aforesaid Earl of Sussex, now Lord Deputy, shall have by virtue of this Act full power and authority, during the term he shall be Lord Deputy there, to give and grant to all and every their Majesties' subjects, English or Irish, borne within this realm, or within the realm of England, at his election and pleasure, such several estates in fee simple, &c., of all and every the lordships, manors, &c., parcel of the said countries, &c., as for the more sure planting and strength of the countries with good subjects, shall be thought unto his wisdom and discretion, meet and convenient.”

The next Act upon the Statute Book is as follows:—“Prayen the Commons in this present Parliament assembled, that forasmuch

as the O'Mores, O'Dempsies, O'Connors, and others of the Irishry, lately inhabiting the county of Leixe, Slewmerge, Irry, Glenmaliry, and Offally, and by their sundry manifest treasons, after many pardons granted to them, and sundry benefits showed to them, yet often rebelled, committing great hurts to the King and Queen's Majesties' most loving subjects, by the which they provoked the most worthy prince King Edward VI., brother to our said sovereign lady the Queen's Majesty, to use his power against them, who at length to his great charge did subdue and repress the said Irish enemies or rebels, bringing into his possession the countries aforesaid, sithence which time O'Mores, O'Dempsies, O'Connors, and others of the said Irishry have trayterously, contrary to their bounden duties, by force entered the said countries, and there so did hold against the King and Queen's Majesties, unto such time as their Majesties, by the diligent and painful travail of the Right Hon. the Earl of Sussex by the sword, evicted and reduced the said countries out of and from the wrongful and usurped possession of the said Irish enemy or rebels to their Majesties' former possession, as of right appertaineth; and for that, that neither of the said countries is known to be within the limits of any shires or counties of this realm, no title could be found either to the said late King or to their Majesties for or in the said countries, &c., as by their Grace's law is appointed to be in like case, by default whereof their Majesties might not take order for the disposition of the said countries by their grants, as they now intend to do." It was enacted that their Majesties should hold and possess for ever, as in right of the Crown of England and Ireland, the said countries; that the new fort of Leix should be called Maryborough, and the countries of Leix, Slewmerge, Irry, and the part of Glenmalire beyond the Barrow, should be called the Queen's County, and be reputed as a county or shire; that the new fort of Offally should be named Phillipstown, and the country of Offally, and part of Glenmalire, should be called the King's County, and be reputed as a county or shire; that there should be appointed for these shires, sheriffs, coroners, escheators, clerks of the market, and other officers; and that commissions should be issued to settle the bounds of these countries, their baronies or

hundreds, and also the town or place where the prison or gaol of the county should be.\*

The Government intended, in the case of Leix and Offaly, to adopt a regular system of colonisation. In December, 1556, orders were given as to the county of Leix, to divide each country between the English and Irish; to appoint for the Mores all the country beyond the bog; that the chief of every sept (the Irish) should appoint how many of his sept he would answer for; that they should hold their lands of the fort, and should answer the laws of the realm as the English do; that the freeholders should cause their children to learn to speak English; that they should keep open the fords, destroy the fastnesses, and cut the passes; that none of them should marry or foster with any but such as should be of English blood, without license of the deputy under his handwriting, under pain of forfeiture of his estate; that they (the English) should build one church in every town within three years; they were to be planted 160 men, English subjects, in that one country, besides the O'Mores.†

As the country had not been conquered effectually, or the natives reduced, the result of this project was to introduce into these districts a body of English colonists, who had to fight for the lands granted to them, and to maintain them when conquered by the strong hand. The warfare which ensued resembled that waged by the early settlers in America with the native tribes. No mercy whatever was shown, no act of treachery was considered dishonourable, no personal tortures and indignities were spared to the captives. The atrocities of Western border warfare were perpetrated year after year in these districts; and the Government in Dublin acquiesced in what was done, and supported their grantees in the properties which the Crown had guaranteed them. Atrocities were committed which have not yet been forgotten. At Mullaghmast the English settlers, by a preconcerted plan, massacred the Irish, whom they had decoyed to a conference. In 1557 Connal O'More

[\* The present King's and Queen's Counties comprise considerably more than the territories mentioned in this Act, as the territory of Ely O'Carroll, and O'Molloy's, MacCoughlan, and the Fox's countries were subsequently added to the King's County, and Upper Ossory to the Queen's County.]

† Ham. Cal. 134.



was executed with peculiar brutality on Leighlin bridge; in retaliation, the natives robbed, burned, and slew the settlers when opportunity offered. The merciless struggle went on far into Elizabeth's reign between the natives and the colonists, until the Celtic tribes, decimated, and utterly savage, sunk to the level of banditti, and ultimately disappeared.

As though good results were to have been anticipated from the plantation of Leix and Offaly, the 3 & 4 Philip and Mary, chap. 3, was passed to enable the Irish Executive to extend the shire ground at its pleasure. "Where divers and sundry robberies, murders, and felonies be daily committed and done within sundry towns, villages, and other waste grounds of this realm, being no shire grounds, to the great loss of divers and sundry true subjects of this realm, to the great boldness and encouraging of all other like offenders, by reason that the same towns, villages, and waste grounds be not made shire grounds; for remedy whereof, be it enacted by authority, &c., that upon the prorogation or dissolution of (the present Parliament) the Lord Chancellor of this realm, for the time being, shall have full power and authority" to "direct commissions to persons," giving thereby full power to the commissioners to "view, survey, and make inquiry of all the towns, villages, and waste grounds of the realm, now being no shire ground, and upon view, &c., to limit and divide by limits and bounds all such towns, villages, and waste grounds into such and as many several counties, shires, and hundreds, as to the Commissioners shall be thought meetest and convenient, and that the said shires, counties, and hundreds after certificate so made shall be used and taken as other counties, shires, and hundreds in every other shire within this realm of Ireland."

This Act directly threatened the property and independence of every chief and tribe in Ireland. In all the Indentures made during the reign of Henry VIII. and Edward VI. the chiefs had severally agreed to be true subjects to the Crown, and to perform certain stipulated services, upon the condition always understood, and frequently expressed, that they and their tribe were to be guaranteed in the possession of the lands they occupied, and permitted to live after their national customs and laws. This Act authorised unknown Commissioners to declare the lands of any

chief shire land, the immediate consequence of which was, that the Queen's writ should run there, feudal rights be enforced against the inhabitants, English laws be administered, sheriffs, escheators, coroners, and other officers be appointed; and the gaol, the invariable accompaniment of advancing civilisation, be erected there. Any chief might, without notice, find himself deprived of his official power, and the mass of the tribe suddenly learn that their customary laws had been abrogated; that their language, dress, and immemorial usages were punishable as crimes. To understand the full scope of this Act, the word town must be understood in the Anglo-Irish sense as signifying a district, and not a collection of houses.

The plantations attempted by the English Government in Ireland were effected under peculiar circumstances, which should not be left out of consideration in estimating their morality and policy. Tribes and nations have since the commencement of history been expelled from their original seats, and their lands divided among enemies and invaders. Every nation holds their country under some such title; it is vain to search for autochthones; the very tribes who were expelled probably boasted of the heroic deeds of their fathers, who had wrested these identical lands from their former occupiers. Conquest and spoliation in themselves are too venerable a practice to attract peculiar blame. It is the professions and position of the English Government, and the mode in which the Irish forfeitures were effected, which rendered these cases peculiar. A distinction must be drawn between the conquest and occupation of a district by an enemy in open war and the confiscation and plantation of part of a country by the Government of the country itself. As an example of the former class, may be taken the German colonies planted by the Teutonic knights in Prussia; these were part of a system of warlike operations, in themselves acts of war, or intended to secure the fruits of victory. They are in themselves no more censurable than the war of which they formed a part. But the case of a Government first confiscating, and then planting portion of its own territories, is very different. Confiscation must be based upon legal conviction for a crime; should not be extended beyond the property of the guilty; and should not be attempted if the evils to the whole population flowing

from it are not compensated by the beneficial results of the enforcement of justice, and the increase of national prosperity.

In 1537, if the O'Connors had been wholly driven out of their lands, the English Government could not have been charged with injustice or severity. The Chiefs of Offaly had for generations plundered and black-rented the English Pale, repudiated the English Government, and ostentatiously lived in a state of open war. At that time it was, however, the policy of the English Government to establish itself throughout the entire of Ireland. Distinct treaties were entered into, in which, if the O'Connors bound themselves to act as obedient subjects, the English Government assumed with the name the duties of sovereignty. Lord L. Grey and St. Leger certainly felt this; they at least admitted that O'Connor had been (as was, perhaps, natural) treated with peculiar severity, and that he ought to be admitted to the same terms as the other Irish chiefs. But his case, unfortunately, was complicated by the grants made upon the Geraldine confiscation, by the grants of tribe lands, which the Earl of Kildare had never in his possession at all. The saving of the rights of third parties contained in his Act of Attainder was, perhaps, held to be inapplicable, as in a similar Act in a subsequent case, to tribes having no legal estate in the land. The English Government was fed with hopes of the vast improvements to be effected by English settlers, and the prospect of receiving rents from their lands when improved by them. Sir Anthony St. Leger evidently desired that justice should be shown to the natives; but the Government of Edward VI. and Mary not only supported the settlers through right and wrong, but rendered an amicable arrangement impossible by inviting fresh English emigrants. Before the Acts of Philip and Mary no inquisition was held to inquire who were the owners of the districts of Leix and Offaly, and which of them were guilty of offences entailing forfeiture even by English law. This was impossible, because they had not been shire land—they were then made shire land by Act of Parliament, and at the same moment the inhabitants, by the act of confiscation, were deprived of the legal benefits which should have flowed from their position as English subjects.

As it suited the purposes of the Government, the inhabitants were treated alternately as English subjects or as a corporate tribe.



Finally, the Government, whose constant profession was, that it desired to establish the reign of law, order, and justice, created and encouraged for many years, within a day's journey of its capital, a war as brutal as those waged between the Apaches and the settlers in the prairies.

In a few generations the old inhabitants had been exterminated; tracts, once woods and morasses, were reclaimed and cultivated; the fastness of the chief and the cabins of the tribe were succeeded by the castles of English gentlemen, and the farmsteads of English yeomen. Then the English traveller was informed that the country had been reclaimed and civilised by a plantation; and this plantation, as the origin of so much material wealth and comfort, has been praised as an instance of the beneficent policy of a paternal Government. The English language was spoken; the English laws enforced; the land tilled after the English fashion; what more could be desired? the statesman, lawyer, and economist were alike satisfied. But all this civilisation was built upon the foundation of the plunder, the sufferings, the destruction of the inhabitants, who had been exterminated by and with the connivance of a Government\* which at the same time was spending blood and

\* The ideas and conduct of intrusive or colonising races are much the same in the nineteenth as they were in the sixteenth century.

"In theory the Aborigines have been treated well enough, but in practice they have been sacrificed without stint and without mercy to the greed, the cruelty, and indifferentism of backwoodsmen and officials. At first they had large reserves of agricultural land assigned to them; but, as few or no steps were taken to train them in the habits of agricultural life, a plausible cause was not wanting for handing over the reserves to the advancing crowd of white settlers, and relegating the Indians to the barren hunting grounds of the Rocky Mountains. Here they might have died in peace, had it not been for the discovery that the territory supposed to be so worthless is a most productive field for mining enterprise.

"The miner began by looking at the Indians as simple vermin; and when the Indians resented the treatment, he soon began to look at them as noxious vermin. No doubt, from the miner's point of view, the latter conception of their character was fully borne out by facts. Successive invasions of their hunting grounds deprived them of their only means of subsistence; and under the joint influence of rage and starvation, they often betook themselves to pillage and murder. Up to this point the United States' Government had not interfered. It had seen the tribes it had undertaken to protect dispossessed of their last resource without the slightest protection

treasure to make good its claim to the sovereign power of administering equal justice to all.

being afforded them against the destruction which must inevitably follow ; it had seen them cleared off the territory in which it had placed them by the summary process of shooting or scalping, and it had shown no sign of displeasure. But when the Indians began to fight in their turn, and to fight after the old savage fashion which the White example had not allowed them to forget, the military power of the United States was at once placed at the service of the settlers, and Indian wars completed what Indian quarrels had begun. How the United States' army fights with Indians, the detail of the last engagement will show. A Pagan village was surprised by a large body of troops, and captured, with the loss on the part of the attacking force of one man killed, and one man injured by falling from his horse. On the side of the Indians, 173 persons were killed, of whom 90 were women, 50 were children—all under twelve years of age, and many of them in their mothers' arms—3 were old men, and only 25 were within the outside fighting ages of twelve and sixty. The troops must be acquitted of anything like haste or passion ; because it is not probable that a village chiefly inhabited by women and children could have offered even a show of resistance ; indeed, if it had done so, the assailants would hardly have escaped with the loss of only one man." (*Pall Mall Gazette*, 16th March, 1870.)

---

## CHAPTER XVII.

---

### THE REIGN OF ELIZABETH.—THE WAR OF SHANE O'NEILL.

AT no time was the policy of England, domestic and foreign, more affected by Continental influence than during the reign of Elizabeth; and, as a natural consequence, the policy of England in Ireland was determined by causes which had no immediate connexion with the condition or interest of the dependent kingdom.

The reign of Elizabeth almost coincides with the period described by Ranke as the counter-Reformation; and his Introduction to the fifth book of the *History of the Popes* expresses the mode in which Irish history, during the latter half of the sixteenth century, should be studied, and suggests considerations too often disregarded by writers upon the subject.\*

\* "It is one of the most difficult problems in the history of a nation or of a power to appreciate the connection of its special relations with those of the world at large.

"It is true that the individual life of the body politic grows in obedience to inherent laws assorted to its peculiar moral constitution, and displays a characteristic consistency throughout the progress of ages. Still it is incessantly under the operation of general influences, that powerfully affect the course of its development.

"We may lay it down as a maxim that the character of modern Europe is founded on this contrast of forces. Its states and races are for ever parted from each other; but, at the same time, they are knit together in an inseparable system of community. There are no national annals in which universal history does not play an important part. So bound by the laws of necessity, so all-embracing is the consecutive series of ages, that even the mightiest state often appears but as a member of the great commonwealth, involved in and ruled by its destinies. Whoever has once attempted to consider the



The peculiar position and personal character of Elizabeth compelled her to shape her policy with reference to events upon the Continent. The extreme unpopularity of her sister's government had carried her into power, and created a temporary loyalty to the only remaining representative of Henry VIII.; but she claimed the throne by a doubtful title, as the offspring of what all Catholics were compelled to hold an adulterous marriage. The policy of her father, which she necessarily adopted, could not call for the enthusiasm of either religious party.

The pope and the Kings of France and Spain naturally calculated that she would either be deposed, or forced to adopt a decided course of action.

She was herself constitutionally disinclined to pursue any definite design. If she had any religion, she was rather Catholic than Protestant; the only object of her policy was self-interest, perhaps, more fairly, self-preservation; she was incapable of any feeling of honour or enthusiasm—unjust, and ungrateful to the strangely-devoted men who served her; grasping and parsimonious almost to

history of a people in the whole, and to survey its course, without arbitrarily straining truth, and without illusion, will have experienced the difficulty arising from this source. In the several phases of a nation's progressive existence, we discern the various currents of the world's general destiny.

"But this difficulty becomes double when, as sometimes occurs, a power sets on foot a movement that involves the whole world, and of the principle of which it is itself the peculiar representative. Such a power then takes so potent a share in the collective operations of the age, it enters into such vivid relations with all the active forms of the world, that its history expands in a certain sense into universal history.

"On such a phase the papacy entered after the Council of Trent.

"Shaken to its very centre, perilled in the very groundwork of its being, it had yet been able to bide the brunt, and to arm itself with renewed vigour. In both peninsulas it had promptly swept aside all the hostile efforts by which it had been assailed, and had once more gathered to itself all the elements of life. It now conceived the project of re-subduing the revolted in all other parts of the world. Rome became once more a conquering power; it formed projects, and engaged in enterprises, such as in ancient days, and in the middle ages, had issued from the seven-hilled city.

"We should make but little progress in the history of the renovated papacy, were we to limit our observation to its centre only. Its actual significance can only be seen in its operations upon the world in general."—*Ranke, History of the Popes*, Book V., Introduction.

folly, and actuated by no motive so strongly as the consciousness of her own pretensions, and faith in her own duplicity and intrigue.

The weakness of her position, and the defects of her character, were in the end the means of her salvation. The Catholics cherished the hope that she might at length join their party; and, until 1569, the pope declined to consider her an enemy of his Church. France and Spain were each more intent upon preventing the rival power securing the kingdom of England, than in seriously themselves pursuing designs for that object.

Elizabeth succeeded in playing off Spain and France against each other; for years the three Governments were involved in a web of conspiracy and falsehood, until at last the success of the League, by paralysing the power of France, enabled Spain to try the hazard of the venture; then at length Elizabeth was driven into open hostility with Spain, and against her will was forced into the position which she occupies in history, as the head of the party she had repeatedly betrayed, and the heroine of the religion which she detested.

In the series of conspiracies to which she was exposed, Ireland might at any time have been made the basis of an attack upon her English dominions; this apprehension pressed upon the minds of herself and her Council. "There may indeed ensue," writes Sussex, in 1560, "that which Her Majesty of late had just cause to fear, and, being now quieted by the good agreement made in Scotland, and the disability of the French, is not unlike, if time serves, hereafter to be revived. The danger is in my sight so fearful, the matter, if it be attempted by foreign power, and aided by civil faction, so easy to be compassed, and the resisting thereof so difficult, as I am forced by duty to give advice that it should in time be prevented, not so much for the care I have of Ireland, which I have often wished to be sunk in the sea, as for that if the French should set foot therein, they should not only have such an entry into Scotland as Her Majesty could not resist, but also by the commodity of the havens here, and Calais now in their possession, they should take entirely from England all kinds of traffic by sea, whereby would ensue such a ruin to England as I am afearred to think on."\*

\* Carew MSS., Vol. I., p. 302.

The absolute command of Ireland was essential for the safety of Elizabeth; for this purpose, she had to satisfy or crush any chief of sufficient importance to intrigue with her Continental enemies, and after 1569 to wage a constant war against the religion of the inhabitants of the country. The complete conquest of Ireland was not pursued as an end in itself; it was not with the design of improving the condition of the country and its inhabitants, nor from a sense of the duty of the sovereign, nor from the lust of conquest, that the English Government bewildered itself in intrigues and negotiations, wasted the lives of soldiers who might, it would seem, have been better employed elsewhere, and sunk the Queen's hoarded treasures in the quagmires of Irish campaigns. The struggle in Ireland was one of vital importance to Elizabeth. Its real object was to cover the unprotected rear of England, and to close the passage through which the forces of the Continent might have assailed her kingdom. As usual in its history, Ireland was the victim through whom both of the contending parties aimed their blows at each other. The Irish never comprehended why England at this period pressed their conquest with such obstinate perseverance; nor, had they done so, would have acquiesced in being offered up as a sacrifice to the safety of the adjoining island; the English ministers pursued their design with such recklessness and violence, that, while they secured England from the temporary danger of an invasion through Ireland, they involved her in further difficulty by exciting the hereditary animosity of the neighbouring people, and rendered chronic the peril which they sought to escape.

On the accession of Elizabeth, English influence was at a low ebb: the policy by which St. Leger had kept the country for many years in peace had been abandoned; the proposed settlements in Leix and Offaly had hitherto been costly and unsuccessful; the feeble raids of the Earl of Sussex exasperated, and did not alarm; the whole executive was corrupt; peculation was rife among the officials. The Catholic party, then under the Earl of Kildare, who seemed desirous to renew the old alliances of his house with the native chiefs, was plotting a revolt, and intriguing with France. The English force was so small and disorganised as to be unable to effect anything. Under these circumstances, the Government, though looking forward to very decisive measures, could not at the



time hope to effect much more than to maintain, if possible, matters as they then stood. The several instructions to the Deputy clearly disclose the views then entertained by Elizabeth for the government of Ireland, and how little she anticipated the desperate struggle she was destined to wage for the maintenance of her sovereignty in the island.

In the instructions to the Earl of Sussex, dated the 16th July, 1558,\* he is directed, "Considering how needful it is to provide like laws as be of late established in this realm (of England), the said Deputy shall confer with the rest of the Council there, showing them the titles or the books of the last parliament here, and upon determination which of them may seem meet for that realm, either as they be or with other alterations, the same to be accorded, and any other also to be newly devised for the weal of that realm; and, as the manner hath been, to return some person instructed therewith, to the end, her Majesty, so allowing the same, may give authority for her royal Council to be given thereto by her said Deputy. And for the time, to the said parliament there to be holden, her Majesty remitteth the same to the Deputy and Council. As to her Majesty's Bench and the Common Pleas there, much negligence has been used chiefly in lack of speedy execution, and next in decay of such revenue as in times past hath grown upon fines and amercement for faults committed; the Deputy and Council shall devise for amendment thereof. How well governed the Court of Exchequer has of late years been, appears by the notable decay of rents, royalties, and services; the Deputy was to consult how the same might be remedied." Among other means for the improvement of the revenues it was suggested, "That, according to the example of the last parliament in England, of the first fruits of the benefices appropriated the twentieth part might be answered to her

[\* This is an oversight. Elizabeth did not succeed until the 17th November, 1558, and these instructions were from Mary's Council. The first instructions given to Sussex in the reign of Elizabeth were those of the 17th July, 1559, given on the next page. The comparison, however, of the two sets of instructions shows how little difference there was, as regards Ireland and the Irish, between the government of Mary and that of Elizabeth in her earlier years.]

Majesty, and the arrearages called, and that Baron Bathe should account for such rents as had come to his charge. As to the lands of Leix and Offaly, of late conquered and knit to the Crown by authority of parliament, it seemed not to defer the order of the same any longer, but the Deputy should make grants according to the authority given to him by Act of Parliament.”\* In the instructions given to the same Deputy on the 17th of July, 1559, it is stated, “That land cannot otherwise be brought to obedience but with extending of force upon some stubborn sort, and with peopling some parts thereof, and specially the north, now possessed with the Scots; yet being left by our sister in wars both with France and Scotland, and our revenue wasted, besides the huge debts left by our sister for us to pay in many several places, as on the other side of the seas, upon the frontiers of Scotland within this realm, and some part also in Ireland, we be compelled to descend to this resolution touching that realm, that we do, with assured trust in the wisdom of our Deputy, commit the charge and governance to him, allowing to him such numbers as conveniently may be by us borne, without innovation of anything prejudicial to our estate. We have appointed, at this present, to remain there in our pay, and at the disposition of the said Deputy, the number of 1512 soldiers—that is, 326 horsemen, 884 footmen, and 300 kerne, with two porters. The Deputy may alter the nature and manner of the wages in such points as needful, having as good respect as he may that the monthly charges grow not much above the sum of £1500. We trust he will reduce our charges nearer to £1000 by the month than £1500, beside the ordinary charge of the government of our country, and besides the extraordinary charges of fortifications, &c.” “The north part of that realm is replenished with Scots, who are likely to increase there daily to the danger of that country. It shall be *hereafter* very meet to plant in the same parts not only some faithful captains and rulers, but also some number of English people; but as this presently cannot be conveniently done, the Deputy shall have in mind and consideration as much as may be devised aforehand, and to embrace and show favour to all such persons as he shall think meet and serviceable

\* Carew MSS., p. 279.

to that end, and yet to order the doing therein as the same may not appear to the prejudice of the case until a more convenient time.”\*

In May, 1560, the English Government is again full of projects to complete the settlement of Leix and Offaly, and embarrassed by the expense caused by the settlement. “Our counties of Leix and Offaly do yet remain unestablished or uninhabited, being peopled only with our men of war, whereby they lie waste without peopling, and our charge is likely to grow intolerable. But you shall do as much as the season of the year and other accidents there will permit to take the straights and strengths of the same counties, and build such castles and houses of strength as have or shall be by you thought meet for the better possessing of the same counties, and appoint such portions of land as shall seem most convenient, and likewise to distribute such part of the rest of the country as ye shall perceive that ye may have convenient persons to take and inhabit the same, and to use the same ground in manner of husbandry for increase of tillage for corn.” The Deputy was also to induce Irish lords to hold their lands of the Crown by English tenures. “We understand that certain lords and captains of the Irish, having lands of long continuance, desire to hold them of the Crown: we authorise you to consider the matter, and upon surrender of their estates to make new grants from us under our Great Seal of Ireland, in tail male, using such means as ye may therein to reserve either rents or corporal services, or both, to the augmentation of our Crown.”† In a memorial of the 27th May, 1560, the Queen treats the Earl of Kildare as the most dangerous person in Ireland, and gives directions to induce or force him to visit her in England. The whole policy of the English Government is sketched in “The opinion of the Earl of Sussex touching reformation of Ireland,” &c., forwarded to the Queen, of the 11th of September, 1560:—“Ireland has been divided of long time into two factions, the Geraldines and the Butlers. The Earls of Kildare and Desmond are the heads of the Geraldines, and Ormond of the Butlers: these have been the principal of the nobility of this

\* Carew MSS., Vol. I., p. 284.

† Ibid., Vol. I., p. 291.



realm ; it shall be good to have some other noblemen of the same state and degree to depend only upon the Crown, by whose means divers inferiors adjoining to them may be drawn to be affected to them ; and then the two former factions may be weakened, as by the example of the Earls of Clanricard and Thomond, drawn now from those factions, and depending only upon the Crown, doth manifestly appear. On the faction of the Geraldines depend all the evil-disposed men in the realm. Therefore, it shall be good to put in places convenient such as shall depend upon the Crown in lieu of those of that faction. There would then be less danger of foreign preachers and conspiracy. Contrariwise, all such as do detest linking with foreign power, and be ready with their service to repress civil rebellion, and to show all tokens of truth to the Queen's Majesty, and no likelihood or cause of suspicion whereby any danger or peril might arise to the Crown, do wholly depend or be joined in amity with the Butlers. The Geraldines are of Irish blood, not brought or reduced to the English Government. The Butlers for the most part are of English blood and name, or of the Irishry reduced already to English government. The experience hereof appeareth in the cases of Thomond and Tyrone ; for the Geraldines ever favoured, and yet do, Donald O'Bryen and Shane O'Nele usurping by Irish order ; and the Butlers ever favoured the Earl of Thomond and the late Baron of Dungannon, claiming to hold by the Crown. If there be a full and speedy reformation meant of this realm—for that the Earl of Kildare is not only the chief head of this dangerous faction, upon whom they wholly depend, but also the direct seeker to overthrow all English government, and a manifest traveller to discredit and deface openly the Governor here, and living a discontented man—for that the Government of this realm is not committed to him, as it hath been to others of his ancestors before—is the likeliest and most dangerous instrument to allure foreign aid, for ambition, and to stir civil rebellion by such imps as depend upon him—it shall be necessary for the surety of the Queen's Majesty, and her crown of this realm, to withdraw wholly the said Earl of Kildare out of this realm, and to give him land in England of like value, or better, so as there rest no further hope of his name here left by his longer sufferance here. This man taken away, some noblemen and gentlemen of England should be planted in places

convenient, who, upon all occasions, might and would bring over force to defend their own. When the premises are put in execution, and the Queen shall rest sure in her state, and have planted Leix and Offailly, which may be quickly done, she may reduce her army to 500 or 600 at the most, leaving always a nobleman of England to govern here, whom also I would have changed every two or three years. The Queen has certain bonaught for gallow-glass upon Irishmen that border upon the English Pale—namely, upon the Byrnes 120, for one quarter of a year, &c. Her Majesty may convert the same into money, which will amount to £4000 yearly, and put sufficient bonaught on other Irishmen further off, who now pay none, as O'Rwerke, O'Connor Dunne, &c. When these matters shall be finished as is aforesaid, and the wild Irish brought to some obedience, it will be good to have a general meeting of all the captains of the Irish countries, whereupon it may, with good discretion, be wrought that certain statutes and ordinances should, by their own consents, be made for the manner of their government, *not utterly differing at the first from their own orders, but reducing the Government as to come from the Prince*; and that every of them should allow a certain portion to the Queen's Majesty, to find Commissioners to see them put in execution; and the breakers to incur also certain penalties, to be levied by the Commissioners, *which I think will rise to a good sum yearly*. The revenues are estimated at £8027; Leix and Offaly at the first leasing, £500; the bonaught converted to yearly revenue, £4000—in all £12,527 Irish, or £8351 sterling. The raising of rents and the gain of port corn are uncertain, as likewise are the allowance of Irishmen for Commissioners, and the forfeitures. All the premises may be fully finished in three years, and the Queen's ordinary charge reduced as follows: for the Lord Lieutenant, £1500; fifty horsemen under him, £700; one hundred footmen in the fort of Offaly, £1300; one hundred footmen in the fort of Leix, £1300; one hundred horsemen to attend upon the Lord Lieutenant at all callings, £1400; two hundred footmen to do the same, £2600; one hundred kerne to do the same, £600; total, £9400 sterling. So the certain charges exceed the certain revenues £1048 3s. 0d. [*sic*] sterling, which is to be hoped will be made

up with the increase of the revenues, and other means before expressed." \*

The policy expressed in these documents is much the same as that of Henry VIII. ; and though some designs of new plantations are mooted, yet the extreme smallness of the force proposed to be kept up in Ireland, and the disgust arising from the extravagant expenditure which had attended the reduction of Leix and Offaly, caused them to be regarded as remote eventualities. The English Government failed wholly to foresee the impending struggle between itself and the Prince of Ulster.

Of all the Celtic chiefs of the sixteenth century none was so feared and hated by the English as Shane O'Neill. English statesmen of his own time accused him of every public crime and private profligacy. The later writers upon Irish affairs have improved upon their predecessors, and in the case of Shane freely sprinkle their pages with epithets not usual in polite literature: "ruffian," and "adulterous murdering scoundrel," are the terms used by Mr. Froude; but it is obvious that a man who excelled in address and diplomacy the ministers of Elizabeth—who wrote such letters as are still preserved in the State Papers—for whose destruction the English Government thrice stooped to assassination—could not have been an ordinary man. So thoroughly has Shane's personal character been blackened, that the Irish have never attempted to make him a national hero; and he enjoys the unfortunate position, between the two nationalities, of being defamed by the one, and tacitly repudiated by the other. The peculiar position which he occupies in history is that of the last, if not the only, purely Celtic chief who offered a protracted and almost successful resistance to the national enemy. His better known successor, Hugh O'Neill, was English by education, associations, and habits, and assumed the character of a Celtic chief as the means of gratifying his ambition; Owen Roe O'Neill was an accomplished Spanish officer, with nothing Irish in him, save his origin and family tradition; but Shane was a thorough Celtic chief, not of the traditional type, but such as centuries of a prolonged struggle for existence had made the chieftains of his nation. From his earliest

\* Carew MSS., Vol. I., p. 300.



days he had passed his life in civil wars and desperate adventures. A price had ever been set upon his head, and his life was constantly threatened by assassins. He knew that his very existence was an insult to the English Government ; he had great pretensions, and small means to carry them into execution ; he was always involved in a net of intrigue and treachery ; he had fierce passions, and never had learned to regulate them. No possible charge against him has been omitted ; but, though they all contain some element of truth, they are manifestly exaggerated, and generally made by men who were themselves, with less excuse, open to similar imputations. He was a murderer ; but he slew rivals set up by the English Government, one of whom had already attempted his life ; and the accusation is made by those who had themselves no scruple in attempting his assassination. He was bloodthirsty and merciless ; but he never perpetrated such cruelties as the contemporary Earls of Desmond and Ormond were guilty of—crimes dropped out of sight by English writers. He was false and treacherous ; but he only lied and intrigued more skilfully than his English opponents. He had little regard for the sanctity of matrimony, and was profligate in his life ; but he was not much worse than his own father, or the Burkes of Connaught, and was almost the contemporary of Henry VIII. and of Henry IV. He was a drunkard ; he indulged in deep carouses, and drank like the Scotch chiefs of the succeeding century. He was a tyrant ; but the inhabitants of the Pale fled from the English rule to his protection, and his territory, when Sir Henry Sidney penetrated it, is stated to have been “ so well inhabited as no Irish county in the realm was like it.” He is described as barbarous in his manners ; but he held his own in the Court of Elizabeth.

The origin of the war with Shane O'Neill was that fruitful cause of mischief, the attempt of the English Government to change the chieftaincy of an Irish tribe into an estate in land, and to force it, instead of being elective, to descend according to the rules of the English law of inheritance. In 1542, when Con O'Neill was created Earl of Tyrone, his patent was to the following effect :—He was created Earl of Tyrone for life upon his acknowledgment of the King's sovereignty, and the errors of himself and his predecessors. The title after his death was to descend to Matthew, alias

Feardourghe O'Neill, his son, and his heirs male. The King also granted to the Earl of Tyrone all his lands, to be holden by knight's service. The said Matthew was to be Baron of Dungannon, which title was always to be borne by the heirs apparent to the Earldom of Tyrone.\*

Although Con O'Neill might for himself accept any title from the King of England, he, acting as chief of his tribe, had no shadow of right to take a grant of all their tribal lands to himself; and in their eyes the King's patent was simply a nullity. The title of Earl of Tyrone also was not, in the opinion of the English Government, an empty honour: it was conceived to attract to itself a civil jurisdiction in the district granted. It was impossible that the next Earl of Tyrone could sink into a mere clansman; but that the English Government would always support the heir to the earldom as against the elected Tanist, numerous instances prove, notably the history of the Earls of Thomond. Upon the death of Con O'Neill it was certain that a struggle would ensue between his successors in accordance with English and Irish law respectively.

To complicate the matter, there were serious and apparently well-founded doubts whether the Baron of Dungannon was an O'Neill at all. He was certainly not born in wedlock. His mother was Alyson Kelly, the wife of a blacksmith in Dundalk. Whoever was his parent, his mother fathered him on Con O'Neill, who, as his son expressed it, "being a gentleman, never denied any child that was sworn to him; and he had plenty of them." The celebrated Shane was a younger son of Con O'Neill, and enjoyed the advantage of alleged legitimacy and admitted paternity.

In the reign of Edward, O'Neill and his sons were involved in continual and complicated struggles. A memorandum of the Irish Council (30th December, 1553) states, "That by occasion of the war, and dissensions between the Earl of Tyrone and his sons, the country was reduced to great misery and desolation, in consequence of which Sir James Croft, Deputy, and the Council at Ardmaghe, perceiving the Earl not to be minded to amend these enormities, procured that he should come to Dublin, where by our counsel and assent he was retained, and certain captains and soldiers have

\* Carew MSS., Vol. I., p. 198.

been appointed to remain at Ardmaghe and in other parts of the north for the greater tranquillity of the country in the Earl's absence. The Baron of Dungannon and the said captains were appointed commissioners to amend and order these enormities and abuses ; but, nevertheless, that country was not amended, but reduced to a worse state than before.”\*

In October, 1551, the Marshal, Nicolas Bagnal, accompanied by the Baron of Dungannon, started for Armagh, for the purpose of establishing the garrison in the cathedral and friary. Upon this occasion Shane makes his first appearance in the English official correspondence. “ The Baron of Dungannon, knowing the country right well, desired that he might have license with certain horsemen and kerne to break out and see what he could do ; and as they were in the foray, he, with four horsemen in his company, being far before their fellows, found Shane upon an hill in his country, environed with woods and accompanied with eighteen horsemen and threescore kerne ; and, perceiving the Baron with so small company to be there, said, ‘ An the King were there where thou art, he were mine.’ The Baron making no stay thereat, but coming forward—‘ I am here but the King’s man, and that thou shalt well know.’ Then, broaching his horse with the spurs, thrust into the press ; Shane fled with his company into the woods ; the Baron followed, and no opportunity to strike him, neither with spear nor sword, the woods were so thick, as he gried to have taken him by the neck, a bough in the pace (?) put the Baron from him, and almost from his own horse. So Shane escaped afoot. The Baron returned with Shane’s horse and spear, and with three other horses of Shane’s company, and or (ere) I, with footmen, could come to him, had gathered 300 head of cattle, appointing also a place for our camp.”†

In November of the same year, the Lord Deputy was directed to send the Earl of Tyrone over to England ; the Baron of Dungannon was to have authority in his father’s absence, and as to Shane, the Deputy was ordered, “ If you can obtain him anywise, for that we perceive by your brother that the said Shane O’Neil is a man likest

\* Carew MSS., Vol. I., p. 234.

† Hamilton, Cal., p. 117, No. 56.



to follow his father's conditions, and to be a like enemy to the State and the weal of our country there."\* In November, 1551, it appears that the Baron of Dungannon was doing "notable good service against his brother Shane."† In 1553, Shane was a previous trouble to his brother, the King's Commissioner, and the Lord Chancellor Cusake, then on his tour of inspection. The Chancellor writes: "Then (after the detention in Dublin of the Earl and Countess of Tyrone) Shane O'Neill, the Earl's younger son, came to Dungannon, and took with him of the Earl's treasure £800 in gold and silver, beside plate and other stuff, and retaineth the same as yet, whereby it appeareth that he and she was content with the same; for it could not be perceived that they were greatly offended for the same. And the same Shane, being at peace until May, hearing of the arrival of the Scots, sent to them to give them entertainment. So he sent to diverse other Irishmen to join with him, and promised to divide his goods with them, which they, for the most part, refused to do, but some did. And hearing of the same on May day, I went to him with such a band of horsemen and kerne of my friends, and did parle with him, and perceived nothing in him but pride, stubbornness, and all bent to do what he could to destroy the poor country. But departing from him, being within four miles of Dungannon, he went and burned the Earl's house; and then perceiving the fire, I went after as fast as I could, and sent light horsemen to save the house from burning. And upon my coming to the town, and finding that a small thing would make the house wardable, what I wanted I caused to be made up, and left the Baron of Dungannon's ward in the castle; and having espied where part of his cattle was in the midst of his fastness, I took from him 700 kine, besides garrons, and joined all the gentlemen and freeholders of the country with the baron, wherewithall they was contented and pleased, and sware them to the King's Majesty; so as I trust in God, Tyrone was not so like to do well as within a short time I trust it shall; and do trust, if a good President were there to see good order established among

\* Hamilton, Cal., p. 119, No. 73.

† Ib., p. 120, No. 74.

them, and to put them in due execution, no doubt but the country would prosper.”\*

In 1558, “when Her Majesty’s sister, the late Queen, was in extreme sickness and danger of death, the Baron of Dungannon was slain by some of Shane’s men.”† The English authorities said that Shane “did cruelly, wilfully, and traitorously murder his brother, the Baron of Dungannon, seek to repossess himself of his father’s and brother’s estates, and feloniously prey and burn certain good subjects in the English Pale.” Modern writers improve upon this by stating, “that, as the simplest solution of the difficulty, Shane cut his brother’s throat.”‡ Shane, however, always protested against the charge of murder, and insisted that his brother, or rather Matthew Kelly, was slain according to the laws of war. In the next year, the old Earl of Tyrone died, and thereupon Shane, in defiance of the claims of his nephew, the young Baron of Dungannon, was elected The O’Neill. This election placed him in opposition to the English Crown; it was made in disregard of the grant of the lands of Tyrone to the late Earl and his heirs; it excluded from all authority the young Earl, claiming by letter patent: it was a declaration that Shane, in defiance of the policy of the Government, and years of intrigue and diplomacy, stood forward as the elected of the tribe, the champion of Celtic usages as against English innovations.

To understand the peculiar position of Shane, and how inevitable a contest with the English Government was, the state of Ulster must be borne in mind. The entire of that province was inhabited by a Celtic population, with the exception of the English settlements on the coast of Down. In the centre of the province, the O’Neills occupied Armagh, Tyrone, and part of Londonderry; the O’Donnells, almost all Donegal; the M’Guires, Fermanagh; the O’Dogherties, Innishowen; the O’Kanes, the north-east of Derry; the southern districts were held by the O’Rorkes, O’Reillies, and M’Mahons. The O’Donnells, claiming the same royal descent as the O’Neills, had been for centuries their constant enemies, and

\* Carew MSS., Vol. I., p. 244.

† Hamilton, Cal., p. 173, No. 1.

‡ This is Mr. Froude’s expression; although Campion, whose narrative he is extracting from, represents the Baron to have been killed by a stratagem during a period of open war.

upon the whole, showed themselves well able to make head against the more powerful tribe. The other and lesser septs were under the headship of the O'Neills, the practical existence and extent of which depended upon the energy of the chief of the head tribe, and thus sometimes it might dwindle down to an almost obsolete claim. The county of Antrim had been gradually occupied by the western islesmen; the M'Donalds, alleging claims to the northern district of the country through the Norman family of Bisset (or Misset), had effected some settlement there, and had been followed by many Scotch adventurers from Argyle and the islands, who gradually occupied the entire coast line. Many expeditions had issued from Dublin against them; but, although from time to time much injury had been inflicted, the place of those who had fallen was rapidly filled up by fresh arrivals; and constant hostilities, which seemed an extension of the border wars, were carried on upon the coast of Down, and in the narrow straits. These Scotch adventurers hired themselves out to Irish chiefs as mercenaries, and sometimes penetrated in plundering bands even as far as Connaught.

The policy of both the English Government and O'Neill towards each other was from the first clearly defined. O'Neill desired to crush or keep in check the O'Donnells, to establish himself at the head of the various smaller tribes, and either to contract alliance with or to crush out the Scotch settlers. His aim was to maintain himself as supreme lord in Ulster, after which he might consider future contingencies. The object of the English Government was to prevent him thus consolidating his power. If themselves unable to overthrow him, they might form alliances with the O'Donnells, and support the independence of the lesser chiefs against the overbearing headship of the house of O'Neill; but by whatever means it was to be effected—whether Shane was to follow his father's example, and profess himself a subject, or was to be overthrown by force or diplomacy—it was the fixed idea of the English Government that he never was to be permitted to make himself King of Ulster. Whatever negotiations were carried on, whatever peace was concluded, or indenture executed, the English statesmen looked forward to reducing Shane to subjection, humbling, or destroying him.



Immediately upon assuming the chieftaincy, Shane was engaged in the conspiracy of the Geraldine party, and was recognised as one of the most powerful adherents of that faction. The extreme feebleness of Elizabeth's Government prevented any active measures being taken against him. In February, 1559, Shane O'Neill had a meeting with the Deputy, Sir Henry Sidney. "The Deputy marched to Dundalk to fortify and defend the English Pale, and sent for Shane O'Neill, who lay at a house of his, six miles from Dundalk, to come to him thither, but Shane desired to be excused, and prayed that the Lord Deputy would please to be his gossip, and that then he would come and do all that should be requisite for Her Majesty's service: and though this seemed dishonourable that the Deputy should be gossip to a rebel before submission, yet the necessity of the Queen's affairs required it, and therefore he consented, and on the last day of January, he and James Wingfield christened the child. After the solemnity was over, the Deputy expostulated with Shane about his rebellion. O'Neill alleged the bastardy of Matthew, and that Con's surrender was void, because he had but an estate for life in his principality, nor could have more by the law of tanistry, nor could surrender but with the consent of the lords of his country; and that even by the English laws the letters patent were void, because there was no inquisition taken before they were passed, nor could there be any inquisition until Tyrone were made shire ground; that he (O'Neill) was elected by the country according to custom, and that he is the legitimate son and heir of his father, and his title to all he claims is by prescription. The Deputy replied that the matter was of great moment, and that he doubted not but that the Queen would do what was right and just; and, therefore, advised him to a quiet and loyal deportment till Her Majesty's pleasure were known, and so they parted in a friendly manner; and by this means Shane O'Neill continued pretty quiet during this Deputy's government."\*

These arguments of Shane were not without force even in the eyes of the Government; for in 1560 a paper was drawn up, after the manner in which Cecil was accustomed to consider State ques-

\* Cox, H. of I., p. 312; Hamilton, Cal., p. 52, No. 13.

tions, entitled "Questions to be considered against Shane O'Neill," in which the legal nature of the grants which had been made was discussed. The three first questions moved as against Shane were—(1.) Whether King Henry VIII., as King of Ireland and Earl of Ulster, might not upon the rebellion of O'Neill have granted any dignity or land that O'Neill held in Ulster to any other person? (2.) Whether upon his offence pardoned and submission made, the said King might not have granted to him the Earldom of Tyrone, with all lands in the same? (3.) Whether the grant in remainder of the same Earldom to one by the name of Matthew, *alias* Ferdorogh O'Neill, son of the said Earl, though, indeed, he were not his son, were not a good grant in law? The answers to these questions are as follows:—"To the 1st. The King as sovereign might have granted it to any other person. The land that O'Neill occupied was parcel of Ulster, which was first conquered by King Henry II., and given to the Earl of Ulster and others. The right of this Earldom of Ulster came to King Edward IV. by descent from Lionel, Duke of Clarence, and his wife, Elizabeth, sole daughter and heir to Wm. de Burgh, late Earl of Ulster, who was slain at Carrickfergus in 1333. *Objection.* Though O'Neill rebelled, he was but a captain, and so an officer; and so the lands which he held belonged to his office, and therefore his offence could not make a forfeiture, but either for his own life, or but until another captain were chosen by the country. *Answer.* If no offence of the O'Neill could make a forfeiture of the country, yet the rebellion of the O'Neill being forfeited [fortified] with the people of his country, then their offences joined together must needs make a forfeiture of the whole, for otherwise then so King Henry II. made not his conquest. To the 2nd. If the interest of the country by rebellion of O'Neill and his country were in the King, the King might make an Earldom of the country, and give the lands to whom he would. *Objection.* The offence and the forfeiture would have been inquired of and found by order of law; and so, being in record, the grant of the King should have been grounded upon a record, but lacking that order, the grant is void. *Answer.* That form of proceeding is requisite where the land is ruled by officers thereto requisite, as an escheator and sheriff; but where the law was not used, nor such officers had any being, then must the King's

title be taken as it may be: and the grant of the Earldom is a matter of record at this day. *To the 3rd.* Upon allowance of the answers made to the former questions, it followeth that, considering the remainder might have been granted to a stranger, the grant was good to Matthew, as he was named, although he was not O'Neill's son, for that by the rest of his name he was so known and commonly accepted before the grant by the space of — years: and though he was not O'Neill's son, yet was he so accepted and declared to be by the father. *Objection.* Although he was so accepted, yet therein was King Henry VIII. deceived; for O'Neill knew for truth that he was the son of a woman married at Dundalk to one Kelly, a smith, and therefore he could not be sure that he was his son; considering also he was 16 years old before his mother brought him to O'Neill. And the King thinking he was his son, and not so being, was deceived, and therefore in good reason the grant was not good. *Answer.* Whether it be true that Matthew was born of the smith's wife at Dundalk during marriage with the smith is to be further understand on the part of Matthew's son; and so the rest, whether he was sixteen years old before he was brought by her to O'Neill; and all that being true, yet being the law to be understand therein, whether the grant be good as it is, or no."\*

This document is a remarkable instance of the peculiarly English and legal mode in which all Irish questions were regarded at this period. The principles of English law were the immutable principles of justice, and the rights of third parties were measured by the abstract propositions of a peculiarly technical system. The faults of the English Government at this period are not those with which it is commonly charged—recklessness of the rights of others, and unjust violence; they were rather the rigid squaring of its actions by principles incomprehensible to the mass of the people, the assertion of claims founded upon a feudal jurisprudence, and their enforcement as if they had been based upon abstract justice evident to all; and these acts were done without regard to consequences or personal suffering, and with that serene self-complacency which yet is the characteristic of the judgments which

\* Carew MSS., Vol. I., p. 304.



the English middle classes pass upon the affairs and conduct of foreign nations. Whatever opinion was formed upon the knotty law points involved in the above queries, the English Government felt that Shane could not at present be successfully assailed. On the 17th July, 1559, the instructions to the Deputy state—"We are informed that Shane O'Neill, the eldest son legitimate of the Earl of Tyrone, now lately deceased, makes claim to succeed his father *as his heir*, and personally occupies and possesses all that country, rule, and lands, which his father enjoyed without let or interruption of any person. Notwithstanding that the son and heir of the Baron of Dungannon, which was the bastard son of the Earl of Tyrone, was entitled to succeed his said father as his heir, we think most meet, especially for the preferment of the person legitimate in blood, and next for that he is thereof in quiet possession, that the Deputy should allow him to succeed his father."\*

This respect for legitimacy did not prevent the Government desiring, if possible, to get rid of Shane. In the almost contemporary instructions of May, 1560, direction was given, that "Shane O'Neill may either by fair means or by force be compelled to be obedient to us. We authorise you (the Deputy) to practise with such other our subjects as be neighbours unto him, by reward or otherwise, by whom ye may most probably reform the said Shane, or otherwise by our force to compel him to stand to your order and governance. If you shall see probable that his nephew, the young Baron of Dungannon, to whom by law and the grant of Henry VIII. the Earldom of Tyrone belongs, may be restored to his lands and country, whereof Shane has disseised him, you shall employ your industry thereupon, being a thing that should both sound to our honour, and shall hereafter bring quiet to that part of our country."†

In August, 1560, the Queen had made up her mind, and authorised the subjugation of Shane, and the restitution of the young Baron of Dungannon, "being the heir in right;" while Shane, who, by a series of manœuvres and intrigues, including various proposed marriages, was endeavouring to establish himself firmly in Ulster, entered into an interminable correspondence with

\* Carew MSS., Vol. I., p. 287.      † Ibid., Vol. I., p. 292.

the English Government. He was required to attend before the Government, to explain his claims upon his father's inheritance. After stipulating for a safe-conduct and expenses, he agreed to comply; and to produce a favourable impression, on the 8th February, 1561, he wrote a lengthy letter to the Queen, in which he detailed the history of his life, gave very unpleasant, but certainly not exaggerated, information concerning the state of the Pale, and made various requests of her Majesty, including an English wife (it were difficult to say how many engagements of the same nature he then had on hand), and the sum of £3000, English currency, for his expenses, promising to repay it on his return in Irish currency (an ingenious mode of making the Queen appreciate the depreciation of the Irish coinage). In March following he received his safe-conduct, and in June stated that nothing hindered his starting to London, but want of ready money. There is no reason to believe that Shane was other than in earnest in his intention of visiting the Queen. The fact of his subsequent visit shows how much he calculated upon the success of a direct negotiation with the Queen; but the object of the English Government was merely to detain him in England while the English army was being reinforced, and the Deputy could take the field. Large preparations were made, and troops despatched with sealed orders for Ireland.

This appears upon the face of the English correspondence, collected in Hamilton's Calendar of State Papers. On the 4th March, 1561, we have the first draft of a Latin protection or safe-conduct for Shane O'Neill, an Irish subject, whose countries and servants are not in perfect civility. Lord Justice Fitzwilliam writes on 5th of April to the Queen, that he had written to Shane, that he might not take any cause for suspicion; and that Shane told his messenger he should not be ready until nearly the last of May.

On the 9th June Shane writes to know if any news had come from England about the money he desired to borrow for his journey.

On the 14th of July Shane writes to the Lord Lieutenant, that he had read a proclamation issued against him; that he desired that his messenger might be forwarded with his letters to the Queen's presence, that he might make answer and excuse to every

article of the proclamation; and protests his readiness to abide by and perform her Majesty's pleasure.

The Lord Lieutenant and Council write on the same day to the Queen, that they had practised with Shane O'Neill to go to England, by means of the Lords of Slane and Howth, and by letters.

On the 16th of the same month Shane again writes to the Lord Lieutenant, informing him that his messenger had returned from the Queen's presence; her Majesty had given a gracious answer, and nothing hindered his own repair to her presence but lack of money; he protests against the war. On the same day Sussex writes to him, that Shane had misapprehended the Queen's answer concerning his repair to her and concerning the money; and that if he will not do according to Her Majesty's directions, he has orders to chastise him as a traitor. Shane replies that he wonders that his Lordship will put the Queen to unnecessary expense in waging war against him. He will ask no peace or truce while the soldiers remain at Armagh, and he desires that his messenger and letters may be forwarded to the Queen's presence. He again writes that he had received letters by which he had learned that his Lordship did not desire to send him or his messenger to the Queen's presence with his answer. He will not come into his lordship's presence until he has seen the Queen, because many lords and gentlemen have been tortured in his time (whose names he gives). If Sussex withdraw his troops from his country, he will do his best diligence to come before the Queen.

On the 17th of July Sussex writes to Cecil, that Shane lays his stay to three causes: the fortifying the church of Armagh, the murder of such as had come to Sussex on protection, and the fact that Sussex had assumed the title of Earl of Ulster.

Meanwhile, on the 2nd April, Sir William Cecil attempts to open a negotiation with the M'Donalds, through the Earl of Argyll. During this month new levies and supplies of artillery, &c., are despatched. On the 27th of April instructions are given to Mr. Hutchinson to negotiate with M'Donald and O'Donnell, to the latter of whom the title of Earl of Tyrconnel was to be offered; the object of this mission was to engage them all against Shane O'Neill.



On the 22nd of May Sussex received the following instructions :  
 “ And so using the best means you can to procure a speedy hosting against the said Shane, our pleasure is that you shall do the best that in you lieth, using our authority or force by taking or subduing of the said Shane, and the country by him occupied, and his complices, or else by utter expulsion of him and his, to the end that the county of Tyrone, which was heretofore granted by our most noble father, Henry VIII., for term of his life, to the late Earl of Tyrone, with remainder to his son, the Baron of Dungannon, and the heirs male of his body, may be in our power to dispose upon the son and heir now living of the said late Baron of Dungannon. You shall place him in the said Earldom, if you see no lawful cause to the contrary ; and the rest of the countries now wrongfully usurped by him (Shane O'Neill) may be committed to the governance of such as shall be thought most meet. For the better exploit hereof, ye shall do well before this your enterprize, to solicit and provoke James M'Connell or his brother, Sorleboy, to make war upon the said Shane, at the same time that you shall determine your attempt, and the like you shall seek to be done by O'Donnell and his followers, and by all others, as well the friends and followers of the young Baron of Dungannon as what others soever you shall think meet ; using such good reasons and persuasions unto each of them as you shall seem expedient and most probable to allure them to further our service.” \*

Shane was thus to be attacked on all sides : by the deputy, accompanied by Kildare, from the south ; by O'Donnell in the north-west ; by the Scots, through the influence of O'Donnell's wife, the sister of the Earl of Argyle, from the east. In the midst of these preparations, Shane suddenly appeared in Tyrconnel in the month of May, and carried off O'Donnell and his wife ; and not only carried off the sister of Argyle, but made love to her so successfully that he transferred to his side, through her influence, the Scotch settlers, upon whom the English had counted. In July, Sussex, with the English garrison and the forces of the Pale, invaded Ulster. He fortified Armagh, and returned to Meath ; meanwhile the English garrison was attacked at Armagh, to which

place Sussex again returned. He fought on the 18th of July an engagement with O'Neill, and returned to the Pale. The result of his campaign appears from his own letter:—"Never before durst Scot or Irishman look an Englishman in the face in plain or wood since I was here, and now Shane in a plain three miles away from any wood, and where I would have asked of God to have had him, hath with 120 horse and a few Scots and gallowglass, scarce half in numbers, charged our whole army; and by the cowardice of one wretch whom I held dear to me as my own brother (Jaques Wingfield), was like in one hour to have left not one man of that army alive, and after to have taken me and the rest at Armagh. The fame of the English army—so hardly gotten—is now vanished, and I wrecked and dishonoured by other men's deeds." \*

The English army was now utterly demoralised, and useless for any purpose, yet Shane O'Neill seems still to have clung to his project of having a personal interview with Elizabeth; he refused to leave Ulster while an English garrison remained at Armagh, but offered to give hostages for his going to the Queen, and restoring the church of Armagh. On the 20th of August the Queen writes that Shane O'Neill was to be drawn to come to England, pledges were to be taken, and the necessary money lent. In the meanwhile, on the 26th of August, Sussex reports that he had dealings with O'Neill's seneschal, and Neil Gray, a messenger of O'Neill, to induce them to assassinate their master, a design which miscarried, and came to O'Neill's knowledge; for this attempt Sussex received no reprimand whatsoever; indeed, so reasonable a step did it seem, that in October of the ensuing year the Irish Government seriously recommended such a course to be again adopted.† After another useless foray by Sussex, a peace was concluded on the 19th October, 1561. It was then agreed that Shane should have a protection from the Lord Lieutenant—that he and all his should go and come safely, and that no hurt should be done to any of his durrags till his return from England into his own country; that he should have the Earl of Kildare's surety that the soldiers of Armagh should not hurt him the value of a groat, and should

\* Froude, Vol. VI., p. 1; Hamilton, Cal., p. 177, No. 25.

† Hamilton, Cal. 182, No. 59, p. xviii.

be withdrawn from thence as soon as he met the two Earls of Kildare and Ormond at Carrick Braddock, and that no Irishman who owed him allegiance as superior lord should be maintained against him.\* The intentions of the English Government upon this occasion appear from the following letter:—

On the 21st of November, Sussex writes to the Queen:—"The suspending any conclusion had been most perilous of all others, for that, in that time Shane should have had opportunity to seek (as in such times he ever before did) upon such as served your Highness, and thereby increased his strength. The Earl's protection, which your Majesty wishes to be stayed, is most earnestly of him affected, as without the which he will not go—and one other indirect advantage lieth also hidden to be taken upon the strictness of the agreement (which with such a traitor might very well be allowed), in that the Earl of Kildare was put as surety for the fetching away of the soldiers from Armagh, and no word forbidding others to be at any time brought thither; upon good consideration whereof, he was pressed to put a matter in writing that he had promised, and was not written in the agreement, which he refused to do, and thereupon answer was made to him, that seeing that he would put no more in writing than was in writing already, he should look for the performance of all things written, and of nothing else."†

On the 4th of November, O'Neill writes to Throgmorton, "that in Shane's absence from Ireland, something might be cavilled at against him and his for non-observing the covenants on his side, and so the fact being infringed, the matter might be used as should be thought fit."‡

On the 6th of January, 1562, Shane made his submission to the Queen, before the Court, and in the presence of the foreign ambassadors. It might have been expected that the result of this would have been that Shane should have been accepted as a subject of England, and continued in the possessions which he then occupied; or if not, sent back again to Ireland, and matters remitted

\* Froude, Vol. VI., p. 31.

† Hamilton, Cal., p. 188, No. 44

‡ Ibid., p. 190, No. 67.



to their former state. But having Shane in their hands in London, the English Government was determined to make the most of the occasion. It was discovered that the safe-conduct had not expressed the time within which he should be permitted to return to Ireland ; in fact, that within the letter of the agreement he might be detained in England practically as a prisoner. As Mr. Froude expresses it, " The submission being disposed of, the next object was to turn the visit to account. Shane discovered that, notwithstanding his precautions, he had been outwitted in the wording of his safe-conduct. Though the Government promised to permit him to return to Ireland, the time of his stay had not been specified. In March Cecil made certain private memoranda of divers means to be used with Shane, which includes his changing his garments, and going like an Englishman ; the deliverance of Calough O'Donnell ; the establishment of sessions at Armagh, &c. ; in fact, the making of Tyrone into English shireland."

On the same day Shane received, as he styles it, " two choices " from the Council—either to sign certain articles delivered to him some days before, probably embodying Cecil's memoranda, or to await the arrival of the young Baron of Dungannon, and to have the whole question of his title to Tyrone reopened before the English Council. Having apparently determined to decide this point, the Government, on the 13th March, desired the Baron of Dungannon to be sent over to London ; and on the 28th of the same month privately directed him to be stayed from coming over.\* Meanwhile the sons of the late Baron of Dungannon and the Scots were committing disturbance in O'Neill's country during his absence. Repeatedly he complains of the wrongs suffered by his people since his coming over to England, apparently without receiving any reply to his letter.†

The English Government thought they had Shane securely trapped ; but he was fully equal to the occasion. He wrote letters to the Queen, admirably adapted to flatter her and play upon her weakness. He asked her advice as to what he should do ; begged her to choose a gentlewoman for his wife, such as both might agree

\* Hamilton, Cal., p. 188, No. 44 ; and p. 190, No. 28.

† Ibid., p. 189, No. 61 ; and p. 190, No. 62.

upon ; and that, in the meanwhile, he (Shane) should be permitted to attend Lord Robert Dudley, to learn to ride after the English fashion, and various other accomplishments ; he declared he had no refuge or succour to flee unto but only her Majesty. When, however, he wanted to depart, he was informed that all the Queen desired was, that the Earldom should be given to the proper heir, and recommended that if he desired a successful issue of the suit, “to change his garments, and go like an Englishman.” Meanwhile Shane, perfectly understanding the manner in which he was being treated, took the opportunity for opening negotiations with the Spanish ambassador.

Matters were at length brought to a crisis by the death of the Baron of Dungannon, who was killed by Turlough O'Neill, in the month of April, at Carlingford, a place where he should not have been found, if desirous to pass over to England, but within the district always used as the basis for invasions of Tyrone. Although the Baron had been thus killed, his rights, whatever they were, passed to his brother ; and the question which the English Government expressed themselves so anxious to adjudicate upon remained as before. Nevertheless, immediately after this event, an indenture between the Queen and Shane was executed ; and he was permitted to return to Ireland. It is most probable that it was at length discovered that Shane, savage as they deemed him to be, was quite as astute as any of the English ministers, would neither allow himself to be intimidated or outwitted, and carefully avoided any breach of the articles entered into by him in Ireland ; and that, by further detention or treachery towards him, great public disgrace would be incurred, and no profit acquired, as Turlough O'Neill was ready, in case of Shane's death, to assume the chieftaincy. Nevertheless, the terms to which he had to submit were severe. The recital of the deed is as follows :—“As the said Shane has taken the oath to be an obedient subject, and has offered to reduce to peace and order those parts of Ulster, outside Tyrone, towards the sea, which have lately been disquieted by intestine wars and contentions between the powerful captains there, it has seemed good to her Majesty to commit to O'Neill the rule and government of the following countries, viz., Erighy kahane, called the country of O'Cahan, Poowte (query Roowte), called the country of M'William,

Clandeboy, and Keyleellogh.” That is, O'Neill was to reduce the Scots, his allies in the late campaign : and the Queen granted him the government of the district which he was to acquire. If this article had been acted on, as the Queen expected, the island Scots would have been the certain allies of England in any future war with O'Neill. O'Neill was to endeavour to cause all the captains of these countries to come up to Dublin to recognise their obedience to her Majesty. He was to support those who recognised their obedience, and not to wage war without being empowered by the Council ; he was not to retain in his country any men of war born outside Tyrone ; he was therefore bound to dismiss his Scotch mercenaries ; he was to take no pledges from any person dwelling in any county without Tyrone, and therefore should have abandoned all his claim of supremacy over the adjoining chiefs. He was not recognised as the ruler of Tyrone, but only permitted to retain his position for the present. “ O'Neill asserts that after the death of his father, the late Earl of Tyrone, he was elected by the men of Tyrone to occupy the office of captain of Tyrone, and denies that the county of Tyrone ought to descend to the son of Matthew, Baron of Dungannon. But, because the Baron's son is absent in Ireland, Her Majesty abstains from deciding to whom the rule of the country belongs. Meanwhile, O'Neill shall remain captain.” The garrison at Armagh were to be continued, with full liberty to remove their supplies from the English Pale.\*

On the 5th of May the Queen issued a proclamation in favour of O'Neill ; his submission had been accepted, and he was in future to be reputed a good and natural subject.† Thus Shane escaped out of the lion's den. Instead of passing the residue of his days in the Tower, as the Earl of Kildare had done, he returned in triumph with a certificate of loyalty, and, what was more remarkable, all his expenses paid. Landing at Dublin, he was too cautious to make any stay there, and at once returned into Tyrone. To whatever he owed his escape, it was not to the justice, magnanimity, or honour of the English Government ; and he probably never intended to keep a treaty which he had signed under duress.

\* Carew MSS., Vol. I., p. 312.

† Hamilton, Cal., p. 194, No. 6.



In July he had invaded Tyrconnell, supported by his Scotch mercenaries, in complete disregard of the treaty.

Hereupon, the Lord Lieutenant laid a trap for him. Shane was requested to attend, with his captains and other gentlemen, at Dundalk, to perform the articles of his indenture. For this purpose a safe-conduct was sent him, so worded as to afford an opportunity for his arrest, which honourable design Sussex communicated to the Queen.\* Shane had, however, received a lesson as to the construing of such documents. When the Lord Lieutenant and Council assembled at Dundalk to receive Shane, he prudently remained away; whereupon they wrote to the Queen, complaining of the stubborn and refractory conduct of Shane in absenting himself altogether.†

This project for the arrest of Shane having failed, Sussex devised another plan for his destruction. During his sojourn at the Court of London, O'Neill had requested that he might be given an English wife, and at length appears to have selected the sister of the Lord Lieutenant for the purpose. This having been communicated to Sussex, he wrote to O'Neill: "That he could not promise to give her away against her will, but that if he would come and see her, and if he liked her and she him, they should both have his good will."‡ A few days afterwards he informed the Queen that word had been sent to Shane out of the English Pale, that his (Sussex's) sister was brought over only to trap him, and that if he came to any governor he should never return.§ This is one of the most curious incidents in the story of Shane. Either Sussex did or did not intend to give him his sister in marriage; if he did, he could not have believed the reports of Shane's profligacy and numerous marriages or intrigues; if he did not, he was guilty of the basest treachery to secure the person of the arch-rebel. The second alternative is that which Mr. Froude thinks the more creditable to the English nobleman. "The present Sovereign of England would, perhaps, give one of her daughters to the King of Dahomey with more readiness, than the Earl of

\* Hamilton, Cal., p. 202, No. 72-73.

† Ibid., p. 204, No. 14.

‡ Froude, Vol. VIII., p. 39.

§ Hamilton, Cal., p. 205, No. 19.

Sussex would have consigned his sister to Shane O'Neill. Shane glanced at the tempting morsel with wistful eye. Had he trusted himself to Sussex, he would have had a short shrift for a blessing, and a rough nuptial knot about his neck."\*

It is not to be wondered at that, after this, we find Shane again at war with the English, attempting to surprise the garrison of Armagh, and sweeping the territories of the Ulster tribes, who had been induced to join in the confederacy against him. Again Sussex attempted to invade Tyrone. Efforts were made to assail Shane from all sides, as before, but the English troops were mutinous—the loyal Earls of Kildare and Ormond were unwilling to join the expedition. The inhabitants of the Pale, driven wild by oppression, refused to supply provisions. The countrymen of the Pale had been unpaid of all things for three years, and the pay of the army was three years in arrears. In April, Sussex at length started upon his expedition, the sole result of which was to survey "the Trough Mountains, said to be the strongest place in Ireland," and to drive off cows and mares. He complains, "I have been commanded to the field, and I have not one penny of money; I must lead forth an army to the field, and I see not how I shall be victualled; I must fortify, and have no working tools."†

Elizabeth, who was at this time fully occupied with the affairs of the Continent, and utterly sick of the war in Ireland, was willing to make any concession to secure a peace with O'Neill; accordingly, on the 11th of September, 1563, articles of peace were signed between the Queen's Commissioners and Shane O'Neill, by which "the Commissioners confirmed to the said John (Shane) the name of O'Neill, until the Queen should decorate him by another honourable name. The said Lord O'Neill to have all pre-eminence, jurisdiction, and dominion, which his predecessors had, and particularly over the lords subject to him, and all other gentlemen of his nation, and generally over all others who were accustomed to pay any service to his predecessors. He was not to be bound to come in person to the supreme governor of the kingdom; no indenture before made between the Queen and O'Neill should remain in force.

\* Froude, Vol. XVIII., p. 39.

† Hamilton, Cal., p. 216, No. 35.

The peace was never to be violated ; but, if any disunion should arise between the English and Irish parts in the north, two honest men on each side should be bound to determine it. Peace was to be observed until the feast of All Saints, when Sir T. Cusacke was to return with certain petitions which O'Neill had sent to the Queen. On the feast of All Saints the garrison should be removed from Armagh, and the cathedral there restored to O'Neill, on condition that he should be a faithful and true subject. If any of the Irish who dwelt in the English parts should commit any damage by homicide, theft, or spoil, upon O'Neill or his adherents, not only should the damage be restored, but those committing it should be delivered up to O'Neill, and compelled to pay the expenses incurred in the prosecution of the damage. By four separate articles, concluded between O'Neill and Sir Thomas Cusacke, it was agreed that the Lord O'Neill should not be compelled to answer or make satisfaction for the killing of the Baron's son, or the son of M'Donnail, who were both killed in time of war. All spoils which they carried away to English parts when the Lord O'Neill was in England should be restored."\*

"As an evidence of returning cordiality," writes Mr. Froude, "a present of wine was sent to Shane from Dublin. It was consumed at his table—but the poison had been unskilfully prepared. It brought him and half his household to the verge of death, but no one actually died. Refined chemical analysis was not required to detect the cause of the illness ; and Shane *clamoured for redress with the fierceness of a man accustomed rather to do wrong than to suffer it*. The guilt could not be fixed on Sussex. The crime was traced to an English resident in Dublin named Smith ; and if Sussex had been the instigator, his instrument was too faithful to betray him. Yet after the fatal letter in which the Earl had revealed to Elizabeth his own personal endeavours to procure O'Neill's murder, the suspicion cannot but cling to him that the second attempt had been made with his privity. Nor can Elizabeth herself be wholly acquitted of responsibility. She professed the loudest indignation, but she ventured no allusion to the previous communication with her ; and no hint transpires of any previous

\* Carew MSS., Vol. I., pp. 354-355.



displeasure, when the proposal had been made openly to herself."\*

Mr. Smith, however, was not a wholly unknown person; he was with Sussex on the 12th of April, 1563, by whom he was on that day sent to O'Neill.† On the 29th September, 1563, Sussex received a secret communication from John Smith, my Lord Treasurer's man. On the 2nd November, 1562, he appears to have been with O'Neill, who sent through him a present of a horse to Cecil.‡ He was, of course, arrested, and confessed what he had done; and Elizabeth expresses her displeasure at "the horrible attempt of John Smith to kill Shane with poisoned wine."§

But Mr. Smith had no cause for apprehension; for Sir T. Cusacke writes on the 22nd March, 1564: "Seeing there is no law to punish him other than in detention by imprisonment, which O'Neill will little regard, except the party might be executed by death, and that the law doth not suffer, so as the matter being wisely pacified, it were well done to leave it; therefore mine opinion is that to enlarge him is the best way."||

For some time after this Shane was left in peace, the actual ruler of Ulster. He was the only strong man in Ireland; he built the castle of "The Hate of Englishmen," on the Lough Neagh; he administered justice in a mode well suited to the people over whom he ruled. Campion writes of him: "He ordered the North so properly, that if any subject could approve the loss of money or goods within his precinct, he would assuredly either force the robber to restitution, or of his own cost redeem the harm to the loser's contentation;" and further, "he might have lived a prince, had he not quenched *the sparks of grace that appeared in him* with arrogancy and contempt against his prince."¶

Unfortunately for himself, Shane designed not to unite the Ulster chiefs, but to crush them beneath him, to which views the English Government had no objection whatsoever; for when O'Neill writes to the Lord Justice and Council that Lord Robert

\* Froude, Vol. VIII., p. 49.

† Carew MSS., Vol. I., p. 349.

‡ Hamilton, Cal., p. 209, No. 41. § Ibid., p. 223, No. 32.

|| Ibid., p. 233, No. 38; and p. xxv.

¶ Camp., "Hist. of Ireland," pp. 189 and 193.

Dudley had advised him by letter to do some notable service whereby he should be the more accepted of the Queen, and he, seeing no greater rebels than the Scots, had a mind to do them some mischief,\* and desired permission to enter Carrickfergus, the Lord Justice Arnold highly approved his designs against the M'Donalds;† for, as he assured Cecil, he acted “with the wild Irish as with bears and bandogs; so that he saw them fight earnestly, and hug each other well, he cared not who had the worst.”‡ This was too much even for Cecil, who declared that as a Christian man he could not without perplexity contemplate the wild Irish set to fight as bears and bandogs.§ Nevertheless, with full approval of the Government, in May, 1565, Shane attacked and utterly defeated the Scots; for which service, on the 10th November, the English Privy Council congratulate O'Neill on the fortunate success which he had had in his honourable intention of attacking the Scots.||

Shane's ambition now soared beyond a mere Ulster principality; he marched into Connaught, and required the payment of the tribute due of old time to the Irish kings; and it soon became evident that Ireland could no longer hold both Shane and the English Government. The story of the Geraldines would be repeated, unless an able viceroy, with an efficient force, was at once sent over; and to reduce Shane by any means, Sir Henry Sidney was despatched to Ireland.

Sir Henry, Shane's old gossip, on his arrival wrote to him, requesting a meeting at Dundalk, to which he received the following reply, which is the statement made by Shane of the various wrongs suffered by the O'Neills at the hands of the English Government. It is headed:—“The causes and matters moving my people not to suffer me to come to the Lord Deputy's presence with such expedition as his Lordship requireth, with that happened within this twenty years, and in the memory of the same O'Neill, the harms done by the Governors and others here within this realm of Ireland.” And it then proceeds thus: “Con O'Neill, the father unto me, the same O'Neill, comen by procurement of Sir Anthony St. Leger, then

\* Ham. Cal., p. 244, No. 76.      † Ibid., p. 245, No. 80.

‡ Ibid., p. 252, No. 20.      § Ibid., p. 254, No. 20.

|| Ibid., p. 278, No. 39.

Lord Deputy, went into England, to Henry VIII., and was created Earl of Tyrone; and for his good service he was imprisoned in Dublin by the Governor, till he was enforced to deliver Tyrelagh Lynmaghe, who had been taken prisoner by the said Earl for spoiling Tyrone. *Item:* The said Earl coming to Dundalk to the Deputy, with great comfort to the said Deputy, upon certain talk, said unto the said Earl, were it not that he was old, and such one as did no service in his years illspent, he would have off his head, and see his blood poured in a saucer or basin; and this unfriendly entertainment of the part of the said Earl, not deserved. *Item:* The said Earl and his army attending upon the Lord Deputy, banishing the Scots out of Ireland, and returning out of the same service, to the said Earl at Armagh, provided a banquet for the said Deputy, and leaving the said banquet unconsumed for haste, and at the said Armagh, did imprison the said O'Neill, and took him prisoner to Dublin, and sent a garrison to Armagh and to Dungannon, his chief manor, since which time the country was impoverished, but such portion thereof as by me was maintained. *Item:* For that the said Earl was so unjustly imprisoned as before is declared, doubting himself of the like, he, with the rest of the Irish nation and the Scots remaining in Ireland, joined in love together; and I understanding their conspiracy against my sovereign, I came to Sir Anthony Sen leger, then Lord Deputy, and showed their conspiracy, and offered my service to his Lordship against my father, the Earl, and the rest; and he thankfully accepted the same, and promised me, for mine entertainment, 20 shillings sterling per diem, and sundry good turns otherwise, whereof I received no great portion. And the said Earl, my father, that knowing, spoiled me and my tenants and followers of the most portion of our goods, to the value of £3000 and more. And if Sir Anthony Saint Leger had continued Lord Deputy, I should have had satisfaction of that, by his Lordship's promise, and recompensed for the damages I sustained in that necessary service in so perilous time. The Earl of Sussex succeeded him, who refused me of protection, and the payment of the said entertainment; and by means thereof, and other his unfavourable doings towards me, the war began betwixt him and me, and so continued until the Earl of Kildare came out of England with my protection and pardon from the Queen's Majesty, and her



Grace's Council, having likewise the protection of all others and nobility of this realm; by occasion thereof I went willing into England to see my Sovereign Lady the Queen, upon such security and protection, and security for myself, people, and goods. *Item*: The Earl of Sussex promised, upon my coming to the Earl of Kildare, and the Earl of Ormond to the Karigebradagh, to amove the garrison from Armagh. I came to the said Earls, according to my promise; and the said Sussex kept the garrison, contrary to his promise. *Item*: Contrary to the former protection and all the securities granted, I, accompanied with the said Earls of Kildare and Ormond, the said Earl of Sussex commanded the said Earls upon their duties to put a handlock upon my hand, and carry me as a prisoner, to time I came to the Queen's Majesty. *Item*: Contrary to the former securities, after I came to England I was constrained, before my return, to make delivery of three of the best pledges I had, and after my return to send from my country 16 other pledges; and the informer of her Majesty's Council was not well advised so to incense their honours to have me in that mistrust, that never deserved the same. Were it not I was so used in taking pledges, I would have served my Queen, my sovereign lady fair, and am and hath been always ready to serve her Grace, if the same may be accepted to her. *Item*: After my return to Ireland, one devilishly disposed, rewarded to have murdered me with a dagger, appointed to have the chiefest horse that could be had, to the intent, after he had done this ungodly feat, that his horse might carry him from my people without peril. *Item*: Seeing that practice could not take effect, devised a bottle of poisoned drink, by which I, with certain others of my gentlemen, was poisoned and in great peril, and by the great power of Almighty God preserved, the author of all worlds. This is sufficient at this time for my own causes. II. Here ensueth some other evil practices devised to other of the Irish nation, that cometh to my remembrance within nine or ten years past.—And albeit I stand most assured of your honour's lawful and most assured friendship, being most assured of your Lordship's good affection, and the most numbers of that honourable Council, yet my people are timorous and mistrustful of the former proceeding."\* The contents of this

letter were beyond contradiction ; its irony was perfect, and the Lord Deputy had no answer ; but it is remarkable that both parties wholly overlooked the terms of the indenture of the 11th of September, 1563, by which Shane was exempted from attending upon any Deputy ; and, further, that in this document, which must have been considered as a statement of his wrongs preparatory to a renewal of hostilities, there is no expression which could be construed as a national sentiment, nor an allusion to any religious persecution. No Irish chief had yet learned to look beyond the limits of his tribe ; his personal indignities, his personal losses and wrongs, or those of his immediate kin, were his sole motives for action. Shane had no desire to play the part of the Celtic champion or the Catholic hero : he was determined to continue The O'Neill, and, as such, at once to resist the Saxon, and exact tribute from his " urraghs." Within a few days after, he left no doubt as to his intentions.

In February, 1566, Sir Nicholas Bagenall reports that Clanrickard was spoiled by O'Neill, who now held all the countries from Sligo to Carrickfergus, and from thence to Carlingford, and from Carlingford to Drogheda ; he had made a sure bond with Scotland. The Deputy had done all he could to bring Shane to quietness ; had sent Stukeley and Dowdall twice ; but Shane would never come to any governor, as might be seen by his answers to Stukeley, which the Lord Deputy had sent by the bearer.\*

On the 1st of March the Lord Deputy wrote to Leicester, that Shane O'Neill was the only strong and rich man in Ireland ; Stukeley and Dowdall had been sent to him. At first, " he was very flexible, but timorous to come to the Deputy, apprehending traitorous practices." But when the wine was in him, he spoke out : " I care not to be made an earl, unless I may be better and higher than an earl ; for I am in blood and power better than the best of them ; and I will give place to none but my cousin of Kildare, for that he is of my house. You have made a wise earl of M'Carty More ; I keep as good a man as he. For the Queen, I confess she is my sovereign ; but I never made peace with her but at her own seeking. Whom am I to trust ? When I came unto

\* Hamilton, Cal., p. 289, No. 33.

the Earl of Sussex upon safe-conduct, he offered me the courtesy of a handlock. When I was with the Queen, she said to me herself that I had, it was true, safe-conduct to come and go; but it was not said when I might go; and they kept me there until I had agreed to things so far against my honour and profit, that I would never perform them while I live. That made me make war; and if it were to do again, I would do it. My ancestors were kings of Ulster, and Ulster is mine, and shall be mine. O'Donnell shall never come into his country, nor Bagenall into Newry, nor Kildare into Dundrum or Lecale. They are now mine. With the sword I won them; with this sword I will keep them."\*

In Sir Henry Sidney Shane found a very different antagonist from the Earl of Sussex. The plan adopted for the conquest of Ulster was to restore to their several territories the chiefs expelled by The O'Neill, to assail his rear by establishing a garrison in the north, at Derry, and to support these operations by an invasion from the Pale. The power of O'Neill, founded not upon a voluntary alliance of the Ulster chiefs, but upon their compulsory subjection to the ruling house, was rapidly broken up. Harassed by attacks from every quarter, bewildered by the number of his enemies, O'Neill was unable to offer an effectual resistance. In his final struggle he attempted to rally to himself the Catholic party; but his appeal to the King of France and the Cardinals of Lorraine and Guise met with no response; and deserted or assailed by the vassals who had formerly been his strength, he was forced to fight his last battle, not against the Saxon enemy, but against the ancient Celtic antagonists of his race. The battle which decided the fate of The O'Neill was fought near Lifford, between the two royal races of Ulster—The O'Donnell and O'Neill.

Utterly defeated, Shane, as a last refuge, fled to the settlement of the Scotch Islanders, whom so shortly before he had assailed, in the hope of finding among them a fresh alliance, or at least a temporary refuge; his fate is thus detailed to a contemporary English authority: "The 2nd of June, 1567, feeling himself all weakened, and beholding his declination and fall near at hand, [he] avowed

\* Hamilton, Cal., p. 233, No. 35; and Froude, Vol. VIII., p. 390.

† Ibid., p. 298, No. 34, and p. 228, No. 29, 1.



and fully determined to come in disguised manner, for fear of intercepting, with a collar about his neck, to the presence of the Lord Deputy, and to submit himself as a most wretched man, hoping by that order of humility to have found some mercy and grace at your Majesty's hands, until he was stayed against his will by such as pretended to be his trustiest friends, and in especial the persuasion of a barbarous clerk, named Neyll Mac Kever, whom he had in most reputation, and used for his secretary, by whose counsel the said rebel was drawn first to try and treat the friendship of the Scots, in joining with them for the maintaining of that his traitorous rebellion, which if he might not obtain, then agreed that his first determination was the likeliest way to save his life with the loss of his land and reputation, and thereupon took his journey towards the Scots, who were encamped in Clandeboy to the number of 600, under the leading of Alexander Oge, brother to James Mac Conell, and one Mac Gilly Asspuke, his nephew, son to Agnes Jlye, brother also to the said James, which was slain in the late overthrow given by the said Shane O'Neill to the Scots, and so entered the tent of the said Alexander, accompanied with O'Donnell's wife, whom he kept, Swarly Boy, brother to the said Alexander, the said secretary, and the number of fifty horsemen, where after a few dissembled gratulatory words, used betwixt them, they fell to quaffing and drinking of wine. This Agnes Jlye's son, all inflamed with malice and desire of revenge for the death of his father and uncle, began to minister quarrelling talk to O'Neill, who took the same very hot; and after some reproachful words passed betwixt them, the said Gillasspuke demanded of the secretary, whether he had bruited abroad that the lady, his aunt, wife unto James Mac Conill, did offer to come out of Scotland into Ireland, to marry with O'Neill. The secretary affirmed himself to be the author of that report, and said withal, that if his aunt were Queen of Scotland, she might be well contented to match herself with O'Neill; the other with that gave him the lie, and said that the lady, his aunt, was a woman of that honesty and reputation as would not take him, that was the betrayer and murderer of her worthy husband. O'Neill, giving ear to the talk, began to maintain his secretary's quarrel, and thereupon Gillasspuke withdrew himself out of the tent, and came abroad amongst his men, who forthwith raised a

fray, and fell to the killing of O'Neill's men; and the Scots, as people thirsty of O'Neill's blood, for requiting the slaughter of their master and kinsfolk, assembled together in a throng, and thrust into the tent where the said O'Neill was, and there, with their slaughter swords, hewed him to pieces, slew his secretary and all those that were with him, except a very few which escaped by their horses. Alexander Oge, after this bouchery handling of this cruel tyrant, caused his mangled carcass to be carried into an old ruinous church near unto the camp, where, for lack of a better shroud, he was wrapt in a kerne's old shirt, and there miserably interred—a fit end for such a beginning, and a funeral pomp convenient for so great a defacer of God's temples, and a withstander of his prince's laws and regal authority. And after being four days in earth, was taken up by William Piers; and his head, sundered from his body, was brought unto the said Lord Deputy to Drogheda, the 21st day of June, 1567, and from thence carried into the city of Dublin, where it was bodied with a stake, and standeth on the top of your Majesty's castle of Dublin.”\*

Great was the exultation of the English Government over the fall of The O'Neill; an Act—the 11th Eliz., sess. 3, chap. 1—was passed for the attainder of Shane O'Neill, the extinguishment of the name of O'Neill, and the entitling of the Queen's Majesty, her heirs and successors, to the County of Tyrone, and to other countries and territories in Ulster. In this Act, by way of preamble, is contained the statement of the acts and crimes with which Shane was charged, how extravagant and unfair, the previous relation in this Chapter sufficiently shows. The preamble is as follows:—

“And therefore to begin, it may please your Majestie to understand, that after that your most famous father, King Henry the eighth, hath upon the humble submission of the late Coun Oneyle, father to the said traytour, created the said Coun earle of Tyrone, and his sonne Matthew Onyele, baron of Dungannan, the remainder of the said earledome, to the said baron and his heires males of his bodie, lawfully begotten, the said Shane Oneyle of pretended malice, to prevent that English creation and order of succession, did falsly and tryterously, in his said father's lifetime, murder the said

\* Statute 11 Eliz., sess. 3, chap. 1.

baron, being a faithful subject to the crown of England, and after the decease of his said father, usurped and took upon him the name of Oneyle, with the whole superiority, rule, and governance of all the lords and captains of Ulster, according to the Irish custome, in scorne of that English creation, and so proceeded on with tyrannie, oppression, and disobedience, untill he openly and publickly, in the beginning of your Majesties raigne, levied sharpe and cruell warre against your Majestie, depopulating, killing, robbing and spoyling of us, your faithfull and obedient subjects, within this your realm of Ireland; hee entered first into Oreyles countrie, and took hostages of him to be his man, and at his commandment, and after that made a roode in Tirconile, and there by treachery and falshed, took Odonill, a faithful subject to your Majestie, his wife, and his sonne and heire prisoners, and so cruely handled the said Odonill, that through duresse of imprisonment, hee was compelled to yeeld up into his hands, his holdes and castels, his plate and all his substance, and then putting him at libertie, deteyned still the sonne in captivitie, and the wife he kept in carnall knowledge: Thus having Odonil's cuntry and people at commaundement, hee began to fortifie a strong island in Tyrone, which for the strength and force of the place, hee caused to bee called in dispite Fooghne-gall, which is as much to say as, the hate of Englishmen. And further for manifestation of this rancour and cancred heart to that nation, hee cruely hanged one of his country by the feet, only upon bare suspicion that he should be a spie for Englishmen, another he hanged because he was found with English biskit about him, the third being one of the captaines of your Majesties gallowglasses, named Fardorogh Mac Donill, falling unfortunately into his hands, hee so crushed by torture and duresse of binding, that he brack his backe bone, and so ended his life miserably. And albeit that these and other the actions and doing of the said Shane Oneyle, hath been sithence that time, so manifest, rebellious, and trayterous against your most excellent Majestie, your estate, crown, and dignitie, as each member of this commonwealth and kingdome hath well felt the same, by his arrogant, undutiful, and trayterous attempts, untill the arrivall of Sir Henry Sidney, your Majesties Deputie of this realm; yet for the more evident declaration of your Majesties clemencie, and of his unnaturall, ingrate, and detestable conspiracies



and treason, the said Lord Deputy, with the advise of the Councill heere, hath thought good to publish and denounce by proclamation, what hope your Highnesse had of his dutifullnesse and conformity, and how worthily his deserts hath heaped upon him your Highnesse utter indignation, correction, and incurable displeasure, and namely, sithence the said Lord Deputie accepted the deputation and government of this kingdome, before which time his dissimulation and hypocrisie was such, as in humble and repentant manner, he promised his loyaltie and faithfull obedience with such subjection heerafter, as he obtained at your Majesties hands, not onely peace, but pardon to his offences against your Highnesse and your crowne, and after that exhibiting certaine petitions in England by the Dean of Armagh, the same deane was returned with letters from your Majestie to the said Lord Deputie, where in the most part of his demaunds were yeilded unto conditionally, that it mighte appeare to the world, that he ment faithfully, effectually, and truely to observe and performe his humble and loyall promise, which being dissimuled till the first of May, which was in the year of our God a thousand five hundred threescore and sixe, at which time he craved a meeting and conference in the confines besides Dondalke: the said Lord Deputie and Councill both for his benefite and the quiete estate of this countrey repayred thether, and there continued the space of five dayes, where in all that space he could not be perswaded or allured by his friends either to repaire to the said Lord Deputie according to his bounden dutie, or to meete in convenient place, where by speech and conference his loyaltie and good meaning (if there had been any) might have been witnessed and dissiphered by the said Lord Deputy and Councill, and by them for his benefite pronounced to your Highnesse: at his returne from thence the malice of his traytor's heart waxing as it were to a ripeness, and not any longer able to bee conteyned, repressed, hidden in it selfe, he hath not onely ruined, broken down, and defaced the metropolitane church of Armagh in the countie of Ulster most unnaturally, irreligiously, and contemptuously, but also hath raised divers holds, fortes, houses, and castels within the same countie, deteyning and imprisoning your Majesties good and obedient subjectes without any cause of offence offered, and besides invaded the countrey of Fermagh, and from thence expelled Mac Gwire, your Majesties good

and faithfull subject, exempted from all rule and authoritie of Oneyle and his ancestors, as may appeare by sufficient testimonie. And when after these tyrannous, felonious, and trayterous attempts he urged again a Parliament and meeting the five and twentieth of July in the yeare aforesaid, professing by the humilitie of his letters as though he had been glad of peace and tranquillitie, forasmuch as the Lord Deputie and Councell were truly advertised, that he repaired to the confines in warrelike manner, with all the force and power he was able to make, it was thought meet, that a convenient force to resist his invasions should at that day bee assembled at Dondalke aforesaid; and albeit that by the space of two daies the said Lord Deputie remained in the frontiers of Ulster, readie to heare any request that he should humbly have offered, yet hee not only refused to repaire unto him, or to send any man instructed in his griefes, but caused his people to begin warre and skirmish contrary to his oath and dutie of a subject; and after such time as the said Lord Deputie had dispersed his force for the commoditie and ease of the people, the same Oneyle hath with banners displayed as an openemie, traytor, and rebell entered into the English Pale, and with fire and sword wasted part of the country, and slew of your Majesties subjectes; and lastly hath besieged Dondalke, where the pride and treason of his arrogante rebellious minde was justly scourged by God, and the valiante defence of the soldiers and inhabitants, where he lost no small number, with their captaines, ensignes, and leaders. And for a further declaration of the malice of this traytor it is evident, that hee hath practised with foraine princes to bring into this realm a power of strangers to the disherison of your Majestie, and the utter ruine and spoyle of this your Highnesse countrey and people; as most manifestly appeareth by his owne letters addressed as well to princes as to sundrie other forraeign potentates, politikelly intercepted by the said Lord Deputie, shewed unto us, and after, as wee are informed, to your most excellent Majestie: for all which causes the said Lord Deputie and Councel did pronounce him a rebell, and most unnaturall, vile, and corrupt traytour to your Highnesse, your crown and dignitie."

The enacting part of this statute declared that Shane O'Neill should be attainted; the name of O'Neill, with all ceremonies attending the creation of the office, abolished; Ulster, exempted



from the rule of The O'Neill, should depend solely on England ; the lands of Shane and his adherents should be forfeited and vested in the Queen ; and the 4th section thus concludes :—" And, most gracious and our redoubted sovereign lady, albeit that the said lords and captains be not able to justify themselves in the eye of the law for the undutiful adhering to the said traitor, O'Neill, in the execution of his false and traitorous attempts against your Majesty, your crown and dignity ; yet having regard to his great tyranny, which he used over them, and the mistrust of your Majesty's earnest following the war, to deliver them from his tyrannical bondage, as you have most graciously and honourably done, we must think, that rather fear than any good devotion moved the most part of them to stand so long of his side, which is partly verified in that, that many of them came unto your Majesty's said Deputy long before the death of the said traitor ; and that after his decease, Tirrelaghe Leinagh, whom the country hath elected to be O'Neill, and all the rest of the said lords and captains, came, of their own voluntary accord, into the presence of your Majesty's said Deputy, being then in Ulster, and there, with signs and tokens of great repentance, did humbly submit themselves, their lives and lands, into your Majesty's hands, craving your mercy and favour, with solemn oaths and humble submissions in writing, never to swerve from that their professed loyalty and fidelity to your imperial Crown of England. And therefore, we, your Majesty's ancient, obedient, true, and faithful subjects of this, your realm of Ireland, with these, your strayed and new-reconciled people, fleeing now unto the wings of your grace and mercy, as their only refuge, most humbly and lowly make our humble petition unto your most excellent Majesty, that it would please the same to behold with your pitiful eyes the long endured misery of your said strayed people, and rather with easy remission, than with due correction, to look unto their offences past, and not only to extend unto them your gracious pardon of their lives, but also to have such merciful consideration of them, as each according to his degree and good hope of desert may receive of your most bounteous liberality such portion of their said several countries to live in by English tenure and profitable reservations, as to your Majesty shall seem good and convenient ; in the distribution whereof your Highness' said Deputy is best able



to inform your Majesty, as one which, by great search and travail, doth know the quantity of the said countries, the nature of the soils, the quality of the people, the diversity of their lineages, and which of them hath best deserved your Majesty's favour to be extended in this behalf."

Notwithstanding this Act, on the 20th January, 1570, a concord and peace was made between the Queen and Turlough Luineach O'Neill, who appears, though with diminished territory and power, to have succeeded to the ancient chieftainry of his clan.\*

In the case of Shane O'Neill, the character and conduct both of the English Government and the Celtic chiefs are displayed in the clearest light. The policy of conciliation was gradually giving way to the desire of Anglicising the native inhabitants; and, as against a chief who resisted this process, no act of violence, fraud, or treachery was deemed illegitimate. The leading native chief aimed at establishing his ancient supremacy in utter disregard of the changed condition of things, and, uninfluenced either by patriotism or religion, staked his existence in the attempt at once to resist foreign dominion, and crush into obedience his traditional vassals; the lesser chiefs, equally regardless of country, sought only to maintain their local independence, and hailed the English as deliverers; as the Achæan league was the ally of Rome in the wars against the later Kings of Macedon.

The exultation of the English Government must have been modified by the consideration of the expense involved. From the 5th and 6th of Philip and Mary to the 16th of Elizabeth, the expenditure of the Irish Government amounted to £490,779 7s. 6½d., of which £120,000 represented the Irish receipts, and £370,779 7s. 6½d., at the yearly average of £23,179, was transmitted from England.†

\* Carew MSS., Vol. I., p. 404. [After the fall of Shane O'Neill, the whole of Ulster was, under the authority of the Statute 11 Elizabeth, chap. 9, made shire lands, and divided, in addition to the two old counties of Down and Antrim, into the counties of Armagh, Tyrone, Coleraine, Donegal, Fermanagh, Cavan, and Monaghan. The county of Coleraine comprised the greater part of the present county of Londonderry, which, however, comprises part of the earlier county of Tyrone, and the liberties of the present city of Londonderry, which under the earlier arrangement were in the county of Donegal.]

† Carew MSS., Vol. I., p. 484.

Shane O'Neill was "a barbarian and a rebel;" he is accused of innumerable acts of tyranny and violence; yet, was the condition of Tyrone or Ulster worse than that of the rest of Ireland? What lords holding of the Crown could then do, and were permitted then to do, may be learned from the contemporary conduct of the Earls of Ormond and Desmond.

On the 20th April, 1567, Sir Henry Sidney thus describes the state of Munster:—"As touching the estate of the whole country, for so much as I saw of it, having travelled from Youghall to Cork, from Cork to Kinsale, and from thence to the uttermost bounds of it, towards Limerick, like as I never was in a more pleasant country in all my life, so never saw I a more waste and desolate land; no, not in the confines of other countries where actual war hath been continually kept by the greatest princes of Christendom; and there heard I such lamentable cries, and doleful complaints made by that small remain of poor people which yet are left, who (hardly) escaping the fury of the sword and fire of their outrageous neighbours, or the famine which the same, or their extortious lords, hath driven them unto (either by taking their goods from them, or by spending the same, by their extort taking of coyne and livery) make demonstration of the miserable estate of that country. Besides this, such horrible and lamentable spectacles there are to behold, as the burning of villages, the ruin of churches, the wasting of such as have been good towns and castles: yea, the view of the bones and skulls of your dead subjects, who partly by murder, partly by famine, have died in the fields, as, in troth, hardly any Christian with dry eyes could behold. Not long before my arrival there, it was credibly reported that a principal servant of the Earl of Desmonde, after that he had burnt sundry villages, and destroyed a great piece of a country, there were certain poor women sought to have been rescued, but too late; yet so soon after the horrible fact committed, as their children were felt and seen to stir in the bodies of their dead mothers; and yet did the same earl lodge and banquet in the house of the same murderer, his servant, after the fact committed. Surely there was never people that lived in more misery than they do, nor, as it should seem, of worse minds; for matrimony amongst them is no more regarded in effect than conjunction between unreasonable beasts; perjury, robbery,

and murder, counted allowable. Finally, I cannot find that they make any conscience of sin; and doubtless, I doubt whether they christen their children or no, for neither find I place where it should be done, nor any person able to instruct them in the rules of a Christian; or, if they were taught, I see no grace in them to follow it; and, when they die I cannot see they make any account of the world to come." \*

Perhaps, if tested by the conduct of his contemporaries, Shane O'Neill has been harshly judged.

\* Sidney to the Queen, 20th April, 1567. Hamilton, Calendar, p. 330, No. 66; Carew MSS., Vol. III., p. lviii.

---



## CHAPTER XVIII.

---

### THE DESMOND WAR, AND THE PLANTATION OF MUNSTER.

**B**Y the death of Shane O'Neill all obstacles to the extension of English power seemed to have been removed; the Anglicising process, so long and steadily pursued, was to be accelerated and completed. English law and order were to be observed in the remotest districts; not only in the external ritual, but in religious belief, the nations were to be assimilated, the wastes and savage districts were to be peopled by English settlers, the favourites at once and maintainers of Royal authority. Ireland was to be a second England, but not a living, healthy England, inhabited by a free people, ruled according to established law, and yielding a willing obedience to a constitutional sovereign, but such an England as the Tudors desired that England should be, in which the sovereign's will or caprice was supreme, in which every subject, with slavish adulation upon his lips, altered his creed, political and religious, with the opinions of the ruler; in which all that was best and noblest in the English character was dwarfed or extinguished. If the English Government were thus excited by hope of success, they were also urged forward by the dread of imminent peril. In 1569, Pius the Fifth by his Bull not only excommunicated Elizabeth, but affected to deprive her of the sovereignty; such Bulls had been often issued by the Pope's predecessors, and had proved far from idle threats, having been generally used as pretexts for rebellion, or excuses for invasion. The whole army of Catholic ecclesiastics on the Continent, particularly the Jesuits, were interested in the war against the heretic queen; year after year, through the rest of the reign, they spun interminable schemes for the overthrow

of the wicked woman, the Jezebel who had usurped the Crown of England, and plucked down again Christ's Church so lately restored by her sister. Now Philip II., now the Guises, and again the Catholics of England were the agents destined to carry out the decree of the Church, and meanwhile the great struggle of the old and new faith was spreading wider and wider, and obliterating merely national distinctions. France was torn asunder by the wars of religion; Alva had just commenced his reign in the Netherlands; Protestantism was being driven back in Germany by the preaching of the Jesuits; the flood of the counter-Reformation swelled from year to year, and the re-establishment of the Catholic Church in England seemed a mere question of time. That England should be assailed through Ireland seemed the obvious policy of the Catholic party; an invasion of that country was to be followed by a religious and national outbreak, to which the English garrison could offer no effectual opposition. With this hope the opponents of the Government were encouraged, and by this terror the Irish Executive was continually haunted. This danger was to be anticipated by the complete subjugation of the island; all the devices stored up in so many books and plans in the State Paper Office were to be attempted; conciliation and justice, diplomacy, intrigue, and treachery, violence either in open war or under martial law, "killing," as it was tersely styled, or violence masked by judicial forms, or sometimes descending to mere assassinations, were to be used against the natives; and English adventurers were to be allured by promises of estates in a country as fertile and more accessible than the American Continent.

The spirit and conduct of the Executive fluctuated with the character of the Deputy.

The government of Sir Henry Sidney was very different from that of Sir J. Perrot, or Lord Grey. Yet, notwithstanding occasional intervals of apparent peace, the storm of violence and distrust spread wider and wider; the hostility of the English against the natives became a madness, until, at the close of the century, first Munster, then Ulster, was swept by sword and fire; and these countries, cleared of their inhabitants, were gradually occupied by new swarms of English colonists.

Both foreign ecclesiastics, such as Saunders, and the English

Government appear to have misconceived the real feelings of the mass of the population ; they both fell into the very common error of imagining that the members of an oppressed creed must necessarily hold the extremest opinions of the most violent section of that religious body, and be impatient for the moment when, at peril of their lives, they may strike a blow for the supremacy of their faith. Saunders imagined that the nation would enthusiastically gather round the Catholic champion, who landed with Papal Bull and consecrated standard ; the English believed that the Catholics of Ireland were waiting impatiently for the arrival of the Spanish succours ; yet the mass of the population, exclusive of the aristocracy and the military classes, would have remained quiet if simply left alone, or treated with ordinary justice and humanity. Of the chiefs themselves, a large proportion of those of Munster steadily supported the English Government against Desmond, O'Neill, and the Spaniards. Of the northern chiefs, the majority were forced into rebellion by acts of gross wrong and insult. Except Sir James Fitz Morris and Lord Baltinglass, no leaders attempted to excite a religious war, and both of them came to a speedy and ignominious conclusion ; yet, between the two parties, the foreign intriguers and ecclesiastics, who dreamed of a war of religion in Ireland, and the English Government, which was always endeavouring to anticipate it, the interest or the existence of the mass of the people was wholly disregarded. On one hand, they were excited by the promises of Spanish invasions and succour, which never arrived ; on the other, they were trampled down and decimated by way of precaution ; and thus, from year to year, the plundering and killing went on, until there was nothing left to plunder, and very few to kill.

In the violences exercised towards the people, the desires of the Government were far outstripped by the conduct of the subordinate officers, as will be shown in the succeeding Chapter upon the inquiry into the conduct of the English officers before the great rising of Hugh O'Neill. With reference to these, the character and antecedents of the military officers employed in Ireland must be borne in mind. The adventurers who officered the English army had many of them seen service in Continental wars, had campaigned with Orange against the Spaniards in the Low Coun-



tries, or had participated in the war of "legalised piracy" carried on for many years between England and Spain; they were full of the cruelties committed by the Spaniards upon the Protestants of Holland, or had known many of their companions to have been slaughtered without quarter, or often, when trading as innocent merchants, to have been arrested by the Holy Office, and perished in its dungeons. To them the King of Spain and the Pope were enemies, from whom no quarter was to be expected, to whom no mercy shown; and to the party of the Pope and Philip II. they were inclined to show no more mercy than had been extended to the Dutch or the Buccaneer.

The policy by which Elizabeth hoped to reduce Ireland to a feeble and submissive England may be divided into the following heads:—(1.) Policy in ecclesiastical matters; (2.) The attempt to establish throughout the country in civil affairs English law and customs; (3.) The efforts made to introduce English colonists; and (4.) The repression of legitimate and legal freedom among the loyal English subjects.

Elizabeth succeeded to the Crown on the 17th of November, 1558; but not until six months after her accession was any measure decided upon affecting the Irish Church, and no such measure was put into operation until three months later. On the 30th August, 1559, Lord Sussex was again sworn in Lord Deputy, upon which occasion he brought over new instructions, before referred to, for the introduction into Ireland of the Acts lately passed in England. Without waiting for any parliamentary sanction, Sussex and the Archbishop Curwin proceeded to restore matters to the state in which they had been prior to the reign of Mary. When the Deputy went to Christ Church, "the Litany was sung in English." Even before this, "orders had been sent to new paint the walls of Christ's Church and St. Patrick's; and instead of pictures and Popish fancies, to place passages of Scripture on the walls." Workmen had been employed upon this as early as the 25th of May previous. In 1560 a Parliament was held in Dublin, by which the repealing Acts of Philip and Mary were repealed, and the Acts of the 28th Henry VIII. revived; the first fruits were restored to the Crown; and the power of appointing bishops was vested in the Queen with-

out the necessity of issuing any *congé élire*.\* The Crown thus again became head of the Church, empowered to order all matters in relation thereto, and responsible for the wisdom or folly of the course adopted. By the same Parliament the first Irish Act of Uniformity was passed, by which the Prayer Book as then established in England was introduced, and the use of it enforced by legal penalties. All ministers were commanded to use it; and on such as should refuse to use it, or should use any other form, or should preach or speak in derogation of it, penalties were imposed: for the first offence, the forfeiture of a year's profits of the benefice, and six months' imprisonment; for the second, imprisonment for one year, and deprivation *ipso facto*; for a third conviction, deprivation of all spiritual benefices and imprisonment for life. So far as dealing with the members of an established Church under State control, the Statute, though severe, was reasonable; but it further attempted to compel all, whether they approved of the new service or not, to attend its ministration. All persons who should "in any interludes, plays, songs, rhimes, or otherwise" declare or speak anything in derogation of this service, or procure or maintain any person to say or sing any "common or open prayer," or to minister any sacrament otherwise than in the book so authorised, or inter-

\* This Parliament was constituted of the following members:—Three archbishops (the primacy was vacant), eighteen bishops, twenty-three peers, viz., Ormond, Kildare, Desmond, Thomond, Clanricard, Buttevant, Fermoy, Athenry, Kinsale, Gormanston, Baltinglass, Mountgarret, Delvyn, Slane, Killeen, Howth, Trimleston, Fitz Morris of Kerry, Dunsany, Dunboyne, Louth, Curraghmore, and Upper Ossory. Twenty counties sent members: Dublin, Meath, Westmeath, Louth, Kildare, Carlow, Kilkenny, Waterford, Cork, Kerry, Limerick, Connaught, Clare, Tipperary, Wexford, Antrim, the Ards, Down, King's and Queen's. Twenty-nine cities or boroughs were represented, viz.: Dublin, Waterford, Cork, Drogheda, Galway, Youghal, Carrickfergus, Kilkenny, Kinsale, Wexford, Ross, Dundalk, Carlingford, Clonmel, Kilmallock, Fethard, Thomastown, Athenry, Naas, Kildare, Kells, Trim, Athboy, Navan, Athirdee, Mullingar, Athy, and Dungarvan. It is very questionable how far the members of the Commons represented the constituencies for which they sat, or how many of them were mere Government nominees; but in the Upper House, at least, the Catholics, if anxious to resist the policy of the Queen, had a large majority.—(*Vide* "Tracts Rel. to Ireland, Irish Arch. Soc.," Vol. II., p. 135.)

rupt any minister performing the service according to the said book, should forfeit for the first offence 100 marks, for the second 400 marks, and for the third offence incur forfeiture of goods and chattels, and imprisonment for life; also all persons not having reasonable excuse should resort to their parish churches on Sundays and holydays, upon pain of ecclesiastical censure, and a fine of 12 pence for each offence, to be levied by the churchwardens for the benefit of the poor. This Act concluded with the celebrated section—"And forasmuch as in most places of this realm there cannot be found English ministers to serve in the churches or places appointed for common prayer, or to minister the sacraments to the people, and that if some good means were provided that they might use the prayer, service, and administration of sacraments set out and established by this Act, in such language as they might best understand, the due honour of God would be thereby much advanced; and for that also that the same may not be in their native language, as well for difficulty to get it printed, as that few in the whole realm can read the Irish letters, we do therefore most humbly beseech your Majesty, that with your Highness' favour and royal assent it may be enacted, &c., that in every such church or place where the common minister or priest hath not the use or knowledge of the English tongue, it shall be lawful for the same common minister or priest to say and use the matins and evensong, the celebration of the Lord's Supper, and administration of each of the sacraments, and all their common and open prayers, in the Latin tongue, in such order and form as they be mentioned and set forth in the said book, established by the Act, and according to the tenor of this Act, and none otherwise, nor in any other manner."

It is needless to say that the Government never attempted to translate the Book of Common Prayer into either Irish or Latin. This section shows that the religious was still subordinate to the political element in the Council of the Queen. They aimed rather at the introduction of English forms than the establishment of an Irish Protestant Church, and sought for the "civilisation of their manners" more than the salvation of their souls. The same object is apparent in the much-praised Act for the establishment of the free schools (12 Eliz., chapter 1), which, as usual, commences



with a pious preamble :—" Forasmuch as the greatest of this your Majesty's realm hath of long time lived in rude and barbarous state, not understanding that Almighty God hath, by His Divine laws, forbidden the manifest and heinous offences, which they spare not daily and hourly to commit and perpetrate ; nor that *He hath, by His Holy Scriptures, commanded a due and humble obedience from the people to their princes and rulers ;* whose ignorance in these so high points, touching their damnation, proceedeth only of lack of good bringing up of the youth of this realm, either in publick or in private schools, where, through good discipline, they might be taught to avoid these loathsome and horrible errors ;" and then enacts the establishment of schools in every diocese, of which the schoolmaster should be an Englishman, or of English birth within this realm. The same object is evident in the 11th of Elizabeth, chapter 6, which is as follows :—" Whereas the Right Honourable Sir Henry Sidney hath, in his late progress into Munster and Connaught, found, amongst other experiences, the great abuse of the clergy there in admitting of unworthy personages to ecclesiastical dignities, which hath neither lawfulness of birth, learning, English habit or English language, but descended of unchaste and unmarried abbots, friars, deans, chaunters, and such like, getting into the said dignities, either with force, simony, friendship, or other corrupt means, to the great overthrow of God's holy Church, and the evil example of all honest congregations. Be it therefore enacted, &c., that no person or persons be henceforth admitted to be dean, chaunter, chancellor, treasurer, or arch-deacon of any cathedral church (Waterford, Cork, Cashel, and Limerick excepted), but only by the presentation or nomination of the Lord Deputy or other Governor of this realm, for the time being, during the period of ten years next ensuing ; provided always that no person or persons so to be nominated and presented by the said Lord Deputy, &c., to any of the dignities aforesaid, shall be able to take any of the said dignities, except he or they be within orders, of full age, *can read and speak the English tongue,* and shall reside upon the same dignities." The Government which passed this statute desired to establish, not a Protestant, but an English Church—not to convert the people from Romanism,

but from Irishism ; had an Irishman appeared, a Protestant of the purest dogma, with missionary zeal to preach to a people whom these Acts described as rude and barbarous, not understanding God's laws, of ignorance which involved their damnation, unless he abandoned his native tongue, and learnt a language which the masses did not understand, all Church appointments were closed against him ; and he might have exclaimed, in the words of an Irish Churchman, that the curse of being an Irishman was upon him.

How far Elizabeth exercised the power of appointing bishops, and how far the bishops then existing submitted to the royal supremacy, is a question much controverted, and perhaps not admitting of clear explanation. Most authors have treated of it with peculiar theological objects, which are quite foreign to this work. The fact would seem to be that the extension of the ecclesiastical authority of the Crown coincided with the limits of its actual power. Where Elizabeth could appoint bishops, she appointed ; where she could not, she did not do so. Where bishops could not resist the power of the Crown, or where they had some personal object in view, they submitted—otherwise they did not do so ; and as the limits of the Crown's actual sovereignty fluctuated from day to day, its interference in things spiritual was altogether uncertain. Yet the power of the English Government in things spiritual was more than is usually admitted.

Archbishop Curwin, of Dublin, though appointed by Mary, submitted, and held his See until 1569, when he voluntarily retired.\* Bodkin, Archbishop of Tuam, was in correspondence with the Government in 1559, when he asked certain favours of the Crown.† In 1572 he was succeeded by Lealy, who was appointed by the Queen's letter.‡ In August, 1559, the Archbishop of Cashel, the Bishops of Waterford and Limerick, were joined in a commission with the Earl of Ormond.§ In 1562 Sussex proposes to join the Archbishop of Cashel and the Bishops of Limerick, Waterford, Cork, Emly, and Killaloe, in the commission with the

[\* He was translated to Oxford.]

† Carew MSS., Vol. I., p. 282.

‡ Morrin, Vol. I., p. 551.

§ Ibid., p. 433.

intended President of Munster.\* In the same year the Archbishop of Cashel is described as “now in the Queen’s disposition;” but the Bishop of Limerick is reported to be “a stubborn and disobedient man in causes of religion, and to have committed divers offences, whereby he should have, by the laws of the realm, forfeited his bishopric.”† But he must have altered his ways, since, in 1564, he was joined in a commission with Sir Thomas Cusacke, and other members of the Council; and he acted as such Commissioner in conjunction with Cusacke, Skiddy, and White.‡ O’Fihely, Bishop of Leighlin, renounced his oath and allegiance to the Pope, and made suit for his bishopric;§ he was succeeded by Kavanagh, appointed by Queen’s letter.|| Walsh, of Meath, and Leverous, of Kildare, were removed by the Queen from their Sees.¶ Crayke was appointed by the Crown to the bishopric of Kildare.\*\* Thonory†† and Gafney‡‡ were successively appointed to Ossory. Skiddy was confirmed in his See of Cork and Cloyne in 1561,§§ to which See the Crown appointed successively in 1570 and 1571; to Ferns in 1566;||| in 1572 to Kilmacduagh, Ardagh, and Down.¶¶ Upon this subject Mr. Brewer very fairly writes: “Unless, therefore, we are to imagine that all these instances of her ecclesiastical jurisdiction by Elizabeth in Ireland were a dumb show, a romance, or a political fiction, that the Deputies and Council in Ireland were so supine, negligent, or ignorant, as never to complain, and never to betray the emptiness and vanity of the Queen’s commands, as well as the impossibility of complying with them—we must admit that from the first year of her reign, and all through to the close of it, the Queen exercised her jurisdiction far beyond the limits of the English Pale. If that jurisdiction was sometimes evaded—if there were pretenders to Sees who claimed the name, though they possessed not either the revenues or the cathedrals belonging to their Sees, that is no more than what happened in England. There

\* Carew MSS., Vol. I., p. 331.

† Ibid., p. 347.

‡ Morrin, Vol. I., p. 492.

§ Carew MSS., Vol. I., p. 282.—

|| Hamilton, Cal. I., p. 318, No. 44. [Note I., at end of chapter.]

¶ Carew MSS., Vol. III., p. xliii. \*\* Morrin, Vol. I., p. 432.

†† Carew MSS., Vol. III., p. xliv.—[Note II., at end of chapter.]

‡‡ Morrin, Vol. I., p. 499.

§§ Ibid., pp. 466, 472.

||| Ibid., p. 497.

¶¶ Ibid., pp. 493, 539, 551, 554.



were, of course, other bishops in Ireland, of whom no distinct notice is recorded in the State Papers of the period. Whether they conformed or not, must be left to conjecture only. If they did not, it is hardly possible that they would have been allowed to continue in their Sees. For, though the reign of Elizabeth was not exempt from trouble, and Ireland was a continual thorn in her side, it must be remembered that those troubles were chiefly confined for many years to the northern province.”\*

It were to be desired, however, that we had more information of the mode of appointment of bishops, not only beyond the Pale, but also beyond the power of the English Government. That not only in some districts the Queen was unable to make appointments, but also that bishops for years occupied Sees in defiance of the royal authority, is shown by many instances. When, in 1562, a *congé d'élire* was sent down to the Chapter of Armagh to elect Loftus, Shane O'Neill is reported to have replied that the chapter there, who the greater part were his own horsemen, were so sparkled and out of order, and they could by no means be assembled for an election. M'Cawghwell, appointed in 1565 to the bishopric of Down, was unable to get into possession, being repelled by the bishop of the O'Neill party.† In 1570 Morgan, son of M'Brian Arra, was allowed to receive the profits of the bishopric of Kylallagh, because “no person could enjoy it without the good will of the said M'Brian.”‡ In 1580 Pelham writes as to Munster, “that the Pope of Rome is both king and priest there,”§ which is fully proved by the statement in Sir Henry Sidney's letter of the 1st of March, 1583. “Thither” (Kilmallock), he writes, “came three or four bishops of the provinces of Cashel and Tuam, which bishops, albeit they were Papists, submitted themselves unto the Queen's Majesty and unto me, her Deputy, acknowledging that they held all their temporal patrimony of the Queen's Majesty, and desired humbly that they might by Her Highness be inducted into their ecclesiastical prelacy. Here was some hold between the bishops and me, too long here to be recited; for they stood still

\* Carew MSS., Vol. III., p. xlvi.—[See also Bagwell, *Ireland under the Tudors*, chap. xxxv.; and Ball, *Reformed Church of Ireland*, pp. 61-63, and Appendix, Note. O.]

† Carew MSS., Vol. III., p. xlv.—[Note III., at end of chapter.]

‡ Ibid.

§ Ibid., Vol. II., p. 284.

upon *salvo suo ordine, &c.*, and I upon the Queen's absolute authority."\* A Pope's bishop held Kilmore until 1585;† and the same may have been the case with Raphoe and Derry, to which the Queen made no appointment until 1595.‡

During the reign of Elizabeth the position of the Queen-appointed bishops, and those who, whether appointed by the Pope or otherwise, refused to admit the Queen's supremacy, is almost identical with that of the English and native ecclesiastics of the period prior to the Reformation; and in both cases there is the same difficulty in ascertaining how and by whom the bishops of remote dioceses were nominated.

As to the character of the bishops appointed by the Queen (with the exception of Usher, Walsh, Donellan, and Daniel), the bishops seem to have done nothing but plunder their Sees to the utmost of their ability. To this Sir James Ware bears abundant testimony. Between 1553 and 1563, Thonory, the Bishop of Ossory, made many fee-farm leases of the manors and possessions of his bishopric at low and inconsiderable rents, which greatly impoverished the See, and lopped off from the bishopric large branches of its revenue.§ About 1582, Allen, Bishop of Ferns, made long leases of many farms, reserving very small rents, and committed many wastes on the lands of the See;|| and about the same time Kavanagh, Bishop of Leighlin, treated the property of his bishopric in like manner, leaving it in such a naked condition as to be scarce worth any person's acceptance.¶ The poverty of this See caused it to be united with Ferns. Magrath, who succeeded to Cashel in 1570, made most scandalous wastes and alienations of the revenue belonging to it.\*\* Lynch, Bishop of Elphin, in 1584, so wasted and destroyed it by alienations, fee-farms, and other means, that he left it worth not 200 marks a year.‡‡ Primate Bramhall mentions two of the original "temporisers" who went even further, leaving their Sees worth, respectively, no more than five marks and forty shillings per annum.§§

It is possible that on some occasions the plunder of the Church

\* Carew MSS., Vol. II., p. 352.

† Mant, pp. 284, 310.

‡ Mant, p. 284.—[See Note IV., at end of chapter.]

§ Ware's Bishops, p. 416.

|| Ibid., p. 446.

¶ Ibid., p. 462.

\*\* Ibid., p. 484.

‡‡ Ibid., p. 634.

§§ Mant, p. 280.

was not retained by the bishops : of Crayke, Bishop of Kildare, Ware reports that he exchanged almost all the manors and lands of the bishopric for some tithes of little value ; by which exchange the ancient See of Kildare was reduced to a most shameful poverty ; and in the short space of three years, he did more mischief to the See than his successors were ever able to repair.\* The State Papers represent Crayke in a very different light. On the 30th April, 1561, he wrote to Lord Robert Dudley, " that he could not preach to the people, nor could the people understand him, and desired to be released from his bishopric. He states that his chaplain, Mr. Lofthouse [Adam Loftus?], who lately came over with him, was his only help in setting forth God's word."† On the 13th September he wrote to Cecil, desiring that his conscience might be disburdened of the bishopric, and intreating that means might be used for abolishing idolatry and superstition.‡ On the 26th October, 1562, he again writes, complaining that he had received no answer to his petition to be discharged of first fruits, which was promised to be remitted before he left London, and praying to be disburdened of the bishopric, as he could not understand the Irish language.§ On the 5th of August, 1563, he writes from the Marshalsea, to which prison he had been committed for non-payment of first fruits to the Crown, imploring Cecil's intercession with the Chancellor for a pardon.||

For the purpose of bringing over the people to the Established Church no serious or reasonable steps were taken. Commissions were issued to the Archbishops and others to visit, reform, redress, and correct all errors, heresies, &c., and enormities, which can or may be restrained or corrected, for the pleasure of Almighty God, setting forth His word, increase of virtue, and the conservation of the peace and unity of the realm. Commissions were issued to administer oaths ; various citizens of Kilkenny were bound by recognisance to come to church, by Sir William Drury.¶ The householders of Dublin were fined for absenting themselves from church ; but many went to mass in the morning, and to church in the afternoon ; to prevent which the churchwardens called over the

\* Ware, p. 391.

† Hamilton, Cal., p. 170.

‡ Ibid., p. 180.

§ Ibid., p. 208.

|| Ibid., p. 220.

¶ Mant, p. 305, and Cox, i., p. 354.



roll of the parishioners in the morning service, as if they had been a regiment on parade.\*

The religious condition of the people remained as before ; the gentlemen of the Pale, as Loftus admits, went to mass ; the Act of Uniformity was a dead letter in Dublin, even in the succeeding reign. “*Quid prosunt leges sine moribus ?*”

We have two contemporary descriptions of the state of the Irish Church, both written by Englishmen of ability—viz., Sir Henry Sidney, and the poet Spenser. The official document is perhaps a little more reticent, but the story told by both is the same.

On the 28th April, 1566, Sidney writes to the Queen : “And now, most dear Mistress and most honoured Sovereign, I solely address to you, as to the only sovereign salve-giver to this your sore and sick realm, the lamentable estate of the most noble and principal limb thereof—the Church, I mean—as foul, deformed, and as cruelly crushed as any other part thereof, by your only gracious and religious order to be cured, or at least amended. I would not have believed, had not I, for a great part, viewed the same throughout the whole realm ; and was advertised of the peculiar estate of each church in the bishopric of Meath, being the best inhabited part of the country, by the honest, zealous, and learned bishop of the same, Mr. Hugh Brady, a godly member of the Gospel, and a good servant of your Highness, who went from church to church himself, and found that there are within his diocese 224 parish churches, of which number 105 are impropriated to sundry possessions, now of your Highness, and now leased out for years, or in fee-farm to several farmers, and great gain reaped out of them above the rent which your Majesty receiveth, no parson or vicar resident upon any of them, and a very simple or sorry curate for the most part appointed to serve them ; among which number of curates only eighteen were found able to speak English ; the rest Irish priests, or rather Irish rogues, having very little Latin, less learning or civility.”

“All these live upon bare altarages, as they call them, and were wont to live upon the gain of masses, dirges, shrivings, and

\* Ibid., 271.

such like trumpery, goodly abolished by your Majesty ; no one house standing for them to dwell in ; in many places the very walls of the churches down ; very few chancels covered ; windows and doors ruined or spoiled. There are fifty-two parish churches more, residue of the first number of 224, which pertain to divers particular lords ; and, though in better estate than the rest commonly are, yet far from well."

"If this be the estate of the Church in the best peopled diocese, and best governed country of this your realm, as in truth it is, easy is it for your Majesty to conjecture in what case the rest is, where little or no revolution, either of religion or manners, hath yet been planted and continued among them ; yea, so profane and heathenish are some parts of this your country become, as it hath been preached publickly before me, that the sacrament of baptism is not used among them : and truly I believe it."\*

From this account, it is plain that the vast majority of the country parishes, even within the Pale, were in the hands of Catholic priests, supported by the people themselves ; and that where there were no such, there was no Divine service or sacrament.

Spenser is, of course, more plain-spoken as to the conduct of Church dignitaries :—

"*Iren.*—Yes, verily ; for whatever disorders you see in the Church of England, ye may find there, and many more ; namely, gross simony, greedy covetousness, fleshly incontinency, careless sloth, and generally all disordered life in the common clergymen. And, besides all these, they have their particular enormities ; for all Irish priests which now enjoy the Church livings, they are, in a manner, mere lay men, saving that they have taken Holy Orders ; but otherwise they do go and live like laymen, follow all kind of husbandry, and other worldly affairs, as other Irishmen do. They neither read Scripture nor preach to the people, nor administer the Communion ; but Baptism they do ; for they christen yet after the Popish fashion, only they take the tithes and offerings, and gather what fruit else they may of their livings, the which they convert as badly ; and some of them (they say) pay as due tributes and shares

\* Sir H. Sidney's Letters and Memorials, Vol. I., p. 112.

of their livings to their bishops (I speak of those which are Irish), as they receive them duly.

“*Eudox.*—But is that suffered amongst them? It is wonder but that the governors do redress such abuses.

“*Iren.*—How can they, since they know them not? for the Irish bishops have their clergy in such awe and subjection under them that they dare not complain of them, so as they may do to them what they please; for they, knowing their own unworthiness and incapacity, and that they are therefore still removable at their bishop’s will, yield what pleaseth him, and he taketh what he listeth; yea, and some of them whose dioceses are in remote parts, somewhat out of the world’s eye, do not at all bestow the benefices which are in their own donation upon any, but keep them in their own hands, and set their own servants and horseboys to take up the tithes and fruits of them, with the which some of them purchase great lands, and build fair castles upon the same, of which abuse, if any question be moved, they have a very seemly colour and excuse, that they have no worthy ministers to bestow upon them, but keep them so bestowed for any such sufficient person as any shall bring unto them.

“*Eudox.*—But is there no law nor ordinance to meet with this mischief, nor hath it never before been looked into?

“*Iren.*—Yes, it seems it hath; for there is a statute there enacted in Ireland, which seems to have been grounded upon a good meaning, that whatsoever Englishman of good conversation and sufficiency shall be brought unto any of the bishops, and nominated unto any living within their diocese that is presently void, that he shall (without contradiction) be admitted thereunto before any Irish.

“*Eudox.*—This is surely a very good law, and well provided for this evil, whereof you speak; but why is not the same observed?

“*Iren.*—I think it is well observed, and that none of the bishops transgress the same; but yet it worketh no reformation thereof for many defects. First—There are no such sufficient English ministers sent over as might be presented to any bishop for any living; but the most part of such English as come over thither of themselves are either unlearned, or men of some bad note, for which they have



forsaken England ; so as the bishop to whom they shall be presented may justly reject them as incapable and insufficient. Secondly—The bishop himself is perhaps an Irishman, who, being made judge by that law of the sufficiency of the ministers, may, at his own will, dislike of the Englishmen, as unworthy in his opinion, and admit of any Irish whom he shall think more for his turn. And if he shall, at the instance of any Englishman of countenance there whom he will not displease, accept of any such English minister as shall be tendered unto him, yet he will underhand carry such a hard hand over him, or by his officers wring him so sore, that he will soon make him weary of his poor living. Lastly—The benefices themselves are so mean, and of so small profit in those Irish countries, through the ill husbandry of the Irish people which do inhabit them, that they will not yield any competent maintenance for any honest minister to live upon, scarcely to buy him a gown. And, were all this redressed (as happily it might be), yet what good should any English minister do amongst them, by teaching or preaching to them, which either cannot understand him, or will not hear him ? or what comfort of life shall he have where his parishioners are so insatiable, so ill-affected to him, as they usually be to all the English ? or, finally, how dare almost any honest minister, that are peaceable, civil men, commit his safety to the hands of such neighbours, as the boldest captains dare scarcely dwell by ?”\*

The Church policy was framed as if with the object of rendering Protestantism unacceptable to the nation ; that the means to be adopted, if success were desired, should be altogether different, was evident even to Spenser :—“In planting of religion, thus much is needful to be observed, that it be not sought forcibly to be impressed into them with error and sharp penalties, as now is the manner, but rather delivered and intimated with mildness and gentleness, so as it may not be hated before it be understood, and their professors despised and rejected. And, therefore, it is expedient that some discreet ministers of their own countrymen be sent over amongst them, which by their meek persuasions and instructions, as also by their sober lives and conversations, may draw them first to understand and afterwards to embrace the doctrine of their salvation.

\* Spenser's "A View of the State of Ireland."

For, if that the ancient godly fathers which first converted them when they were infidels to the faith, were able to pull them from idolatry and paganism to the true belief in Christ, as St. Patrick and St. Colomb, how much more easily shall godly teachers bring them to the good understanding of that which they already professed? Wherein it is great wonder to see the odds which is between the zeal of Popish priests and the ministers of the gospel; for they spare not to come out of Spain, from Rome, and from Remes by long toil and dangerous travelling hither, where they know peril of death awaiteth them, and no reward or riches is to be found, only to draw the people unto the Church of Rome; whereas some of our idle ministers, having a way for credit and estimation thereby opened unto them, and having the livings of the country opened unto them, without pains and without peril, will neither for the same nor any love of God, nor zeal for religion, nor for all the good they may do by winning souls to God, be drawn forth of their warm nests to look out into God's harvest, which is even ready for the sickle, and all the fields yellow long ago. Doubtless, those good old godly fathers will (I fear may) rise up in the day of judgment to condemn."\*

In all struggles between an established Church and the dissidents, between the Catholic Church and Waldenses or Huguenots, the English Church and Puritans, Covenanters or Catholics, the same story is told over again and again. Each sect thinks that devotion, zeal, and saintly endurance belong to them exclusively, or at least pre-eminently, and cite the legends of their martyrs as evidence of the truth of their creed, forgetting that the charm does not lie in any religious dogma, but that men under similar circumstances will act similarly whether for good or evil, and that it was upon the balance of physical force it depended which sect was to be branded with the crime of persecution, which to win the martyr's crown.

Although bishops were occasionally appointed by the Pope for Ireland, no attempt was made to keep the Irish Sees regularly filled with Catholic prelates. "With occasional exceptions, with just so many bishops as were absolutely necessary for ecclesiastical

\* Spenser's "A View of the State of Ireland."

discipline, the Roman Court fell back upon a more modest system of ecclesiastical government. An occasional visit from a nuncio, a bishop here and there, as often non-resident as resident, an arch-priest and a vicar-general in this or that diocese, were more efficient instruments for preserving and propagating the ancient faith, than a full-blown ecclesiastical hierarchy, whose cathedrals were occupied by nominees of Queen Elizabeth, and against whose persons the shafts of authority fell with an effect which priests of humble rank and pretensions easily escaped."\*

To realise the relation of the Catholics to the Government of Elizabeth from the year 1569 to the end of the reign, the Papal Bull issued in that year must not be left out of consideration. It professed not merely to cut her off from the Church, but to deprive her of her Throne. It is a mistake to treat this as a trivial act, an impotent outburst of anger, or an unwarrantable excess by the Pope of his jurisdiction. On the contrary, Bulls of deposition had been often before issued by Popes, and often with result; and the right of the Pope to depose an heretic had been solemnly asserted by a Papal Bull in 1557.† A Bull of this description had no effect personally against the heretic to be deposed: it could only work out its desired result by acting upon the consciences of the members of the Catholic Church themselves. The heretic Sovereign in the eyes of all good Catholics was placed outside the law; they might regard him as the Greeks did a "tyrant;" neighbours were to invade him, subjects were to rebel against him or betray him; against him all acts were lawful; and the souls of those who perished in the struggle had the benefit of special indulgences. To this Bull may be traced the subsequent misfortunes of the Catholics in England and Ireland; by it they were involved in a dilemma, from which they have never since, in popular estimation at least, escaped. In this period of danger the Queen might fairly ask the Catholics whether they were for her or against her; if loyal subjects, they were called upon

\* Carew MSS., Vol. III., p. 1. [This is rather too strongly put. In most of the dioceses, although not in all, there is a regular Roman Catholic succession from the death or deprivation of the Marian bishops; but in some cases, at least, the bishops habitually lived on the Continent, and only occasionally, when opportunity offered, came to Ireland.]

† The Bull "De Apostolatûs Officio."



to denounce the decree of the Head of their Church, and to resist in arms those who might endeavour to restore its rights and possessions to their Church; or if loyal to their Church, or rather what was then called the Catholic party in Europe, they, *ipso facto*, declared themselves rebels, and must submit to the consequence. The question by which the loyal were to be distinguished from the disloyal was not merely a question of theological speculation, but one of fact—simply, was the Queen sovereign of her realm. Each party fully understood the logical consequences of either answer. It was in vain for the Catholics to reply that all they desired was to be left undisturbed, and that they were no parties to plots or conspiracies, that they wished to be neutral in the struggle. The Government might fairly answer, “In this struggle none can stand neutral; whosoever is not with us is against us. You are neutral now; when you stand alone before the force of the executive, you are loyal; but would you remain neutral if a Spanish or Italian force had landed? would not you in such a case be driven by every natural sympathy, by every religious sanction, to join our enemies. If not actual rebels, you are rebels *in posse*. To anticipate your disloyalty we must deprive you of all means of doing evil, punish your ecclesiastics, who are mere emissaries of the Pope and King of Spain, and if you will not be loyal, force you to continue neutral.” In this dilemma the Catholics were placed—either to yield obedience to Cæsar or to God, or to suffer the lot of the angels cast out of heaven and repudiated by hell. Catholics there were of all classes; some few, like Sir James Fitzmaurice, stood by their Church; the mass of the lords of the Pale stood by the Crown; but the vast majority formed no clear opinion on the subject until the Earl of Desmond drifted into rebellion. From that event down to the end of the reign, what was formerly the Celtic or national party put forward more and more the religious side of their quarrel, and strove to connect themselves with the Catholic party on the Continent. And in the same manner the idea was growing in the mind of the English Government, that all Papists were rebels *in posse*, and must, unless they came over to the Established Church, be treated accordingly. Meanwhile there was a large class of Catholics, chiefly the inhabitants of English towns, who were sincerely Catholic, and yet free from suspicion of rebellion. This

class was the most difficult for the Government to deal with consistently ; they were too numerous to get rid of, and it was dangerous to treat them as rebels. The policy necessarily arising from this state of things appears in a letter of Lord Mountjoy in 1600 : “ Whereas, it has pleased your Lordship in your last letter, to command us to deal moderately in the great matter of religion, I had, before the receipt of your Lordship’s letters, presumed to advise such as deal in it for a time, to hold a more restrained hand therein. And we were both thinking ourselves what course to take in the revocation of what was already done, with least encouragement to them and others ; since the fear that this course, begun in Dublin, would fall upon the rest, was apprehended all over the kingdom ; so that I think your Lordship’s direction was to great purpose, and the other course might have overthrown the means of our own end of reformation of religion. Not that I think too great preciseness can be used in reforming of ourselves, the abuses of our clergy, church livings, and discipline ; nor that the truth of the Gospel can, with too great vehemency or industry, be set forward in all places, and by ordinary means, most proper unto itself, that was first set forth and spread in weakness ; nor that I think any corporal prosecution or punishment can be too severe for such as shall be found seditious instruments of foreign or inward practices ; nor that I think it fit that any principal magistrates should be chosen without taking the oath of obedience, nor tolerated in absenting themselves from public service ; but that we may be advised how we do punish in their bodies or goods any such only for religion as do profess to be faithful subjects to Her Majesty, and against whom the contrary cannot be proved.”\*

For the enforcement of English law and maintenance of order, the means adopted by the Government were commissions to execute martial law, and the establishment of the provincial presidents. As a specimen of the former class of instrument, the commission granted to Sir Jaques Wingfield in 1560 may be cited.† He was authorised “ to execute martial law throughout the territory called the Byrne’s country, and the Tole’s country, the marches of the county of Dublin, and the whole bounds and limits thereof, as well

\* Mant, p. 337.

† Morrin, Vol. I., p. 445.

within the liberties as without, with power and authority to investigate by all ways and means the disorders and offences committed within these territories, by naughty and idle persons; and if on trial such persons should be found to be felons, rebels, enemies, or *notorious evil doers*, that he should proceed, according to the course of martial law, to judgment and punishment of such persons, by death or otherwise, as the nature of the offences should require. Provided that the commission should not operate against any person having an estate of inheritance or freehold to the value of £10,\* or who was of good name or fame in the country; with power to treat and parle with all enemies that should come within the limits to repair unto the Commissioner for cause or occasion of treaty, and give them safe conducts in coming and returning, and to effect such good order and way with them as was expressed in the instructions sent by the Lieutenant." The reasons for issuing the commission are stated to have been: "Forasmuch as the wicked, malicious, and disordered nature of sundry persons, being of vile and base condition, *not having whereon to live, and therefore less careful of their allegiance and obedience*, requires that we should correct and repress the same by some more speedy and sharp means than our common law, and considering our martial law to be necessary for the reformation of such naughty livers and idle vagabonds as do not cease to disquiet our liege people."

It may be remarked that no Irishman living after the manner of the nation could come within the exception of having either an estate of inheritance or freehold,† and the goodness of his name or fame in the country was a matter of fact to be decided by the commissioner; most probably the accusation itself would have been held to contradict the goodness of name or fame of the accused.

The device of appointing presidents in the various provinces, attributed to Cusacke, had long lain in embryo in the various plans suggested for the government of the country; the powerlessness of the Deputy in the affairs of the remote districts was patent, and it was desired to establish sub-deputies with full administrative and executive power, and a judicial staff in Munster, Connaught, and Ulster, who were to repress disorder and enforce the English law.

[\* See Note V., at end of chapter.]

[† See Note V., at end of chapter.]



The duties of such an officer are stated by the Earl of Sussex, in his opinion as to the way in which Ulster should be reduced, and the realm governed 'after Shane O'Neill shall be expelled' (1562). 'When the president is thus placed, he must use great diligence in executing of justice, and see that every breach of order be punished with fines; he must also many times lie in camp, and call for the Irish captains of Ulster to attend upon him with their risings out, and so go from place to place, as he shall see cause to execute justice, which shall breed the love of the people towards him, and shall keep all men in such fear of him as they will not be easily drawn into any conspiracy against him. For the more security he must use and discharge pledges at his pleasure. He must severely punish all offenders in capital crime within Tyrone; and *when any person having possessions shall be executed, he must give the possession for a reward of service to some soldier*, reserving a rent to the Queen, and cause the country, with some help of money from the Queen, to build a castle upon that land in a fit place. Thus the Queen's possessions will increase, the name of the O'Neills in short time decay, and English inhabitants step up in their places. For the defence of the country, he must cause certain castles to be builded upon the principal strengths and straights of the country, and bridges upon the principal rivers, which must be guarded by his own constables. He must go twice every year into every man's country under his rule to see justice administered to such as either cannot or dare not come to him to complain. His ordinary doings he must monthly advertise to the principal governor; and if any extraordinary matters of importance fell out, he must advertise with expedition, that speedy remedy may be provided. And for his better assistance it is convenient that the force of the county of Lowth should be at his discretion and order, and that he should have authority to execute martial law.'\*

As a measure clearly connected with the establishment of the presidents, the Act of 11th Elizabeth, chap. 9, was passed for the purpose of reducing all Ireland to shire land. This was equivalent to depriving all Irish chiefs who had entered into indentures with the Crown of the benefits to which they were expressly or tacitly

\* Carew MSS., Vol. I., p. 333.

entitled thereunder, and abolishing the Brehon or Irish law throughout the island.

The nature of the office and powers of a president appears from the instructions to Sir G. Carew as president of Munster, printed in the *Hibernia Pacata*, p. 10. The president was accompanied by a provincial chief and second justice at the salary respectively of £100 and 100 marks per annum (£66 13s. 4d.), and a clerk of the Council at £20 per annum, thirty horse and twenty footmen, a petty captain, a trumpeter and guidon, also a sergeant-at-arms to carry the mace before him, and to arrest such as were gentlemen having £10 annual income at a fee of 10s.; and inferior persons at a fee of 6s. 8d.; with 6s. 8d. per diem travelling expenses. The president was to have charge of the gaol, hear all manner of complaints within any part of the province, to hold sessions of oyer, determiner, and gaol delivery, to execute martial law when required; "to prosecute and oppress any rebel or rebels with sword and with fire, and for the doing of the same to levy in warlike manner and array, and with the same to march such and so many of the Queen's subjects as to his discretion shall seem convenient. And if that any castle, pile, or house, be with force kept against them, it shall be lawful for the said Lord President and Council, or two of them, whereof the Lord President to be one, to bring before any such castle, pile, or house so to be kept against them, any of the Queen's Majesty's ordnance and great artillery, remaining within the limits of the commission; and with the same, or by some other means or engine, any such castle, pile, or house, to batter, mine, and overthrow," to summon any person before the Council to answer any complaints whatsoever, with power to punish those who did not appear on any such summons, to try all subordinate officers for alleged misconduct, to proclaim "anything or matter touching the better order of Her Majesty's subjects, and the repressing of malefactors and disorders, after such tenor and form as they (the Council) shall think convenient, and to punish offenders there according to their discretion, to compound for forfeiture, &c., and to cess fines for offences," and, "it shall be lawful for the Lord President and Council, or any three of them, whereof the Lord President to be one, after examination in the cases necessary, upon vehement suspicion and presumption of any great offence in any

party committed against the Queen's Majesty, to put the said party so suspected to tortures, so as they shall think convenient, and as the cause shall require;" also to punish jurors for acquitting persons contrary to evidence, with other extensive powers to enforce Church discipline, and administer justice in civil cases.

The President's Council on this occasion consisted of five noblemen—Ormond, Kildare, Thomond, Barry, and Audley; two bishops—Cork and Limerick; the Chief and Puisne Justice, the Queen's Sergeant, Attorney and Solicitor-General, and six gentlemen. As a large proportion of these could not attend, and the remainder were under the control of the President, this Council formed no check on his proceedings; and the Chief Justice, from his previous conduct, was only too eager to advise violent measures. The class of ordinances issued by the Lord Presidents may be judged of by those proclaimed in Limerick, by Sir John Perrot, in 1569. These are, to a great extent, a compilation of the most stringent statutes previously enacted against the natives—*e.g.*, all thieves, &c., putting themselves to comericke for safeguard of their lives, to any lord, gent., or other subject, and any person granting safe-conduct by the name of comericke, to be adjudged traitors; all persons cissing and taking meat and drink, save by authority of the Queen, Deputy, or President, to be taken as traitors; the taking the title of Chief of any country to be punished by a fine of £100; sons of husbandmen and ploughmen to follow their fathers' occupation; that it should be lawful for every good subject to take and kill notorious thieves found robbing, spoiling, or breaking of houses, by day or night; for each person so killed, rewards to be paid after a certain rate; bards, rhymers, and idle men and women making rhymes, bringing messages, and players of cards, to be punished; Brehon law to be of no force, and all persons acting as Brehons to be punished by twelve months' imprisonment, and forfeiture of all their goods; the use of the Irish dress to be punished; receiving an erick to be punished with death, &c.

Beside the Lord President, every local authority, whether English lord, Irish chief, or corporate town, was dwarfed; invested with the power of an Eastern pasha, not checked by public opinion, not restrained by any traditional principles of government, urged on by the central Government to carry the business through, the



Lord President, with a wholly insufficient force to maintain order, attempted to cow his province into quiet, by the exercise of martial law and isolated acts of violence. The history of each President is merely a monotonous recital of petty battles, sieges, and executions, by which not a step was gained toward the settlement and civilisation of the country; all local authorities which might have assisted, and who would have been interested in assisting, in good government, were ignored and destroyed, and the whole population insulted and exasperated to the utmost. Thirty years of presidential government did not establish order in Munster, and Sir George Carew had to employ even larger forces than Sir J. Perrot.

The extension of English law would be facilitated by English colonisation; and, consequently, the Government listened readily to the proposals of those who, at their own expense, desired to establish English settlements in the island. For those who would undertake projects so expensive, and entailing danger and toil, which could not be anticipated, Royal grants of wide estates were ready, without any reference to the title or occupancy of the inhabitants.

In 1572 a scheme was formed by Sir Thomas Smith for establishing an English and Protestant colony in the Ards, a district of the county of Down, under the conduct of his natural son, Thomas Smith, assisted by a Mr. Chatterton; but this attempt wholly miscarried. In 1573 the Earl of Essex, dissatisfied with his position at the English Court, conceived the design of establishing himself in the county of Antrim, and effecting a permanent English settlement there. He proposed to expel the Scotch Islesmen established on the north-east coast, and to make grants of this part of the country to English, leaving the rest in the hands of Irish rent-paying tenants. In the spring of that year he made a formal offer of his service to the Queen; and on the 8th of July an agreement was drawn up, by which the Queen granted to the Earl the district of Clandeboy, in consideration of his surrendering certain property which he claimed as against the Crown. He was to set out before Michaelmas with 200 horse and 400 foot, which force he was to maintain at his own cost for two years, the Queen keeping on foot an equal number; after two years he was to maintain the same number as the Queen—not to exceed 600. All

fortifications were to be borne by the contracting parties equally. The Earl was to have timber from Killulto Wood, to pay no customs on his imports, and to have free transport of arms, money, and all necessaries, for seven years. The money for the expedition was advanced by the Queen herself, upon a mortgage of the Earl's estate.

On the 20th of July, 1573, Essex wrote to Burleigh describing his last interview with the Queen:—"Upon the taking of my leave, she told me that she had two special things to advise me on: the one was that I should have consideration of the Irish there, which she thought had become her disobedient subjects rather because she had not defended them from the force of the Scots than for any other cause. Her Majesty's opinion was, that upon my coming they would yield themselves good subjects, and therefore wished them to be well used. To this I answered, that I determined to deal with them as I found best for her service when I came there, and for the present I could not say what is best to be done; but Her Majesty should be sure that I should not imbrue my hands with more blood than the necessity of the case requireth. The other special matter was, that I would not seek too hastily to bring the people who have been trained up in another religion from that in which they have been brought up in. To this I answered that, for the present, I thought it was best to learn them to know their allegiance to Her Majesty, and to yield her their due obedience, and after they had learned that they would be easily brought to be of good religion."\* From this letter it is clear that the Queen had no grounds of complaint against the natives of Clandeboy; that no cause existed which could justify the forfeiture and re-grant of their lands, and that both the Queen and Essex realised the fact that the settlement could not be accomplished except by force and the shedding of a certain amount of blood.

In August, 1573, Essex landed in Antrim, and his dealings with the native chiefs seem almost a counterpart of those of the Spaniards with the Mexican caciques.

\* The letters of the Earl of Essex are printed in "The Lives of the Earls of Essex," and most of them are abstracted in the Carew MSS., Vols. I. and II.

On the 10th of September he writes—"Sir Brian M'Phelan sent messengers unto me with a letter, declaring that tho' he had never seen me, yet he had heard not only of the force with which I had arrived, but also of such as should come after, and therefore desired to know with what conditions I would receive him if he would return to Her Majesty's service. I answered that I came not to indent or condition with any; but if he did simply submit himself to Her Majesty's mercy, he might be the first to whom I would extend Her Majesty's clemency, and that I would measure it according to the order of his coming in; whereupon the next day he desired to speak with Captain Pierse, who being licensed to go unto him, the same night Sir Brian came in with Mr. Pierse, and in the most public part of the house did on his knees make submission, alleging little for himself, but some unkindness towards Mr. Smith; but the sum of his speech was to desire that his former offences might not be imputed to him, but that his services thereafter might recompense his faults passed; where, when I had somewhat aggravated, to make Her Majesty's mercy the greater, took him my hand, as a sign of his restitution to Her Majesty's service, with promise to commend any desert of his hereafter. Since which time I sent as far as the Rowte to bring his create down into the plain, guarding them with the few horse I had there, till they were out of all danger; where now the cattle remain as the only pledge I seek for of him."

A very few days sufficed, as in all such cases, to show that the force of the invaders was not so formidable as on first sight it appeared. Sir Brian, who could not have been much conciliated by the treatment he had received, was in communication with the Scots and The O'Neill (Turlough Luineach), who all were equally alarmed for the security of their estates. The cattle which Essex thought he had so adroitly captured were driven off, and hostilities rapidly ensued.

From this time, until his death, Essex was engaged in constant hostilities, most harassing to the English troops engaged, and fruitless of any solid results, in the course of which the English soldiery, and even Essex himself—who in the English phase of his life appears as a Christian and gentleman—were guilty of extreme atrocities, and stopped short at no amount of devastation and slaughter.



The war gradually extended all over Ulster, and Essex secured the co-operation of various tribes hostile to The O'Neill; some few extracts from the Earl's letters may give an idea of the mode in which hostilities were carried on. On the 8th October, 1574, describing his abortive invasion of the land of O'Neill, he writes—"So I left, and on my way homeward I gave orders to burn as much corn as could be, which I assure your L L was exceedingly much, not less by estimation than to the value of £5000; for so I ordered my marching that I might most annoy him by spoil of the country, where was most plenty of corn, both going and coming." His English settlers having mostly returned to England in despair, he seems to have been anxious to establish Irish tenants in Clandeboy, and on the 22nd of July, 1575, writes in a letter to the Queen—"In my return from Clandeboy, having left all the country desolate and without people, I offered Brian Erlagh to be farmer of that country. His answer was that his people were few, his cattle less, and with striving to defend it from me, his husbandmen were starved dead, or run out of the country. And considering your Majesty had given it unto me, he would not strive any longer with me, but bade me take it and use it at my pleasure, and desired me to keep my promise with him in the rest according to his articles. And at this time there is neither he nor any man in Clandeboy claimeth property in anything, whereby your Majesty may see what the people are when roughly handled."

It is not needful to cite the Earl's account of the various killings reported by him, nor to mention the treacherous seizure of the O'Neills at Belfast. The capture of the island of Raghlin has thrown into the shade all the other atrocities of these campaigns. On the 2nd of November, 1573, Essex had received from the Privy Council special instructions for dealing with Sorleboy, the Chief of the Scotch islesmen, who had made overtures to the Government for a grant of the portion of Antrim, which he claimed by inheritance from the Missets, with the usual offer to serve Her Majesty against all others. The Council, being uncertain what to do with him, wrote to Essex: "If it be thought the less ill to retain him than to bound him to a place certain and a number certain, to make him a denizen and assign him a service in lieu of rent, as captain of Her Majesty's kerne which, he being a mer-

cenary man and a soldier, will easily content unto him hereafter, and law shall keep him within bounds, and a stronger force than his own shall ever master him; and as I am informed there is not within his circuit any commodious landing place, you may enlarge the matter as you think good, which though it threaten peril, yet a continual eye being had upon him, time may disarm him, *and make him a plague in the mean season to the obstinate Irish.*" From this it seems Essex had open instructions as to dealing with the Scotch. In June or July, 1575, Essex, having come to terms with O'Neill, attacked the Scots, who, after some skirmishing, got across the Bann, on which occasion the English had "the killing of them, swimming in the river over to Tyrone's side, both horsemen and footmen." After this, from the Earl's letter of the 22nd of July, it appears that Sorleboy daily sent for peace, and to be suffered to enjoy the land, which he said had once been granted unto him in the Lord Chamberlain's \* time of government; but having no commission to deal with him, the Earl forbore to have anything to do in the matter. The rebellious Irish, it was then hoped, had come to an arrangement with the Government, and no future danger was to be apprehended from them; the time had come for striking a blow against the Scots, who, though now anxious to submit, had so long defied the Irish Executive. The island of Raghlin, to the north of Antrim, and difficult of access, had long been a stronghold of the Scots, and was fortified sufficiently to offer serious resistance. Pending the offer of Sorleboy to submit, on the very day on which Essex reports to the Queen his proposals, Raghlin was attacked by an expedition sent by the Earl from Carrickfergus. After some sharp fighting, the Scots were driven into their fort, which the English designed to storm the next morning.

What ensued is thus described by Essex:—"The slaughter of their chieftain, and the continual hurt that was done them, so abated their pride, as before day they called for a parle, which Captain Norreys, wisely considering the danger that might light upon his company, and willing to avoid the killing of the soldiers, which in such cases doth often happen, although he saw the place likely enough to be taken, with some loss of men, was content to

accept the parole, and hear their offers, so as the Constable would come himself in person out unto him without delay, to make his demands; and yet not agreeing that he should safely return to the castle, but only upon his word to stand to his hap; upon which he came out, and made large requests, as their lives, their goods, and to be put into Scotland, which request Captain Norreys refused, offering them as slenderly as they did largely require—viz., to the aforesaid Constable his life, and his wife's and his child's, the place and goods to be delivered at Captain Norreys' disposition; the captain to be a prisoner one month; the lives of all within to stand upon the courtesy of the soldiers. The Constable, knowing his estate and safety to be very doubtful, accepted the composition, and came out with all his company. The soldiers, being moved and much stirred with the loss of their fellows that were slain, and desirous of revenge, made request, or rather pressed to have the killing of them; which they did, all saving the persons to whom life was promised, and a pledge which was prisoner in the castle was also saved. There were slain, which came out of the castle of all sorts, 200; and presently news is brought to me, out of Tyrone, that they be occupied still in killing, and have slain, that they have found hidden in caves and in cliffs of the sea, to the number of 300 or 400 more. The taking of this island upon the neck of the late service done upon the Scots, doth no doubt put him to his wit's end."

The Earl, far from being indignant at this butchery, thought the conduct of the soldiers highly commendable: of them he writes—"Neither travail, misery, nor adventure of life, nor any pain that can reasonably be laid on them, for your Majesty's service, is by them refused; but with willing minds, as any man can do, they think themselves happy that they may have any occasion offer them, that is to do your Highness acceptable service, and as I had sundry proofs of them, and lately in the service done against the Scots in the fastness, and *this now done in the Raghlin's, so do I find them full willing to follow it, until they shall have ended what your Majesty intendeth to have done.*"\*

\* The massacre of the Scots at Raghlin Island has lately been a subject of considerable controversy, throughout which it has been assumed to have been an exceptional occurrence; it was, however, the ordinary mode of



It were foreign to the purpose of this chapter to detail the total failure of the colony; how Essex was plundered by his inexorable creditor, the Queen; how he was betrayed and abandoned by the Irish Executive; how at last he died of a broken heart, in Dublin, on the 22nd of September, 1576.\*

The first plantation in Ulster had wholly failed—so utterly as to discourage any attempt at its repetition.

While Lord Essex was striving to win from the native Irish an estate by his sword, a scarcely less distinguished adventurer attempted by legal process, and the revival of antiquated claims, to oust from their estates both natives and English subjects, and to acquire possession of part of Leinster, and much of Munster; and, as often happens, the litigant caused more ill-will and disorder than the mere military adventurer. The death of relations in open fight

acting under similar circumstances, *e.g.*, in the case of the capture of Dursey Island, off the coast of Kerry, by Captain John Bostock, A.D. 1602: "The enemy, amazed, rendered themselves, and presently all the weaponed men came forth, and delivered him possession of the fort, which was a place of exceeding great strength. In the island were taken, 500 milch cows; of the rebels four were killed, two hurt, who, with all the rest, were brought into the camp, and after executed."—*Pacata Hibernia*, p. 564. O'Sullivan's account would make the massacre as great as that of Raghlin; but in one respect he is more favourable to the English, treating the affair as a storm without quarter, not as a deliberate massacre of unarmed prisoners. "*Castello diruto, templo et tectis incensis, tam præsidearios armis exutos, quam cæteros senes, infantes, et fœminas in unum coactos glandibus confodiunt, gladiatorum ictibus ad capulum infixis trajiciunt; alii puerulos hastis transfossos, tremantes atque palpitantes, sociis ostentant. Omnes denique catenâ viuctos per præruptos atque acutissimos scopulos in mare præcípites dant, globulis et lapidibus obruentes. Ita Catholici circiter ccc., quorum major pars patris mei Dermysii obæratî erant, perierunt.*"—(*Lib. vii., Cap. viii.*) Much of this is mere rhetoric, but O'Sullivan must have been well acquainted with the traditions of his family; his narrative, at least, proves that others than the actual garrison, women and children, perished on this occasion. If those who were massacred at Raghlin were not Irish, at least they were treated as such.

\* Irish writers naturally misrepresent the Earl of Essex. He regarded the natives of Ulster as his contemporaries did the natives of America; as our contemporaries do the Maories. He was a pure-minded, chivalrous, Christian gentleman, after the fashion of his day. The killing on the Bann and the massacre of Raghlin did not lie heavy on his soul. His death was as remarkable and noble as that of Sir Philip Sidney.

may be forgiven ; but the consequences of an unjust lawsuit are never forgotten.

Sir Peter Carew, though of good birth, was early reduced, by the harshness and neglect of his father, to extreme indigence ; he was found by a relative holding horses in Paris, and was brought up and educated as an act of charity. His whole life henceforward was a series of adventures. As a page of the Marquis of Salewe (Saluces ?), he saw the Battle of Pavia ; upon which occasion, the Marquis having been killed, Carew passed over into the Imperial camp, and became page to the Prince of Orange, and, after his death, to the Princess Dowager, with recommendations from whom he returned to the Court of Henry VIII. He seems at once to have got into favour at Court, and, being found useful from his knowledge of Continental languages, was appointed one of the gentlemen of the bedchamber. Although in favour, and employed on various occasions by the King, Carew was too restless to remain in England ; and having obtained letters of recommendation from the King, he started for the Continent, where he visited not only France and Italy, but also the Court of the Sultan, and assisted in the wars of Hungary. On his return to London, he was received with greater favour than before, and was employed during the rest of Henry's reign both in military and civil affairs. In the reign of Edward VI. he was active in putting down the Western insurgents, and upon the accession of Mary, had to retire to the Continent. He was treacherously captured at Antwerp, and brought over to London ; but he contrived to clear himself of the charges against him, and to gain the favour of the Queen. Under Elizabeth he retained his position ; and upon the trial of the Duke of Norfolk was High Constable of the Tower. Either dissatisfied with or tired of Court, he retired to Devonshire, and having nothing to do, unfortunately for himself and many others, began to inquire as to the truth of certain family traditions as to estates in Ireland previously enjoyed by his ancestors. The world was then full of adventurers, and every man of energy hoped to win for himself estates or wealth on one or other side of the Atlantic. It occurred to Sir Peter that something might be made of these Irish claims. What he thereupon did his biographer describes :—" And being now at such leisure, he bethought himself of such lands as he was persuaded

he should have by inheritance within the realm of Ireland ; and although he had sundry writings of evidence for the same, yet they being old, and he unlearned, he could neither read them himself, nor was acquainted with any one who could and would sufficiently instruct him. And having continual speech thereof with his friends and acquaintances, bemoaning, as it were, the want of some expert and skilful man to instruct him, it was at length advertised to him that the writer hereof [of the biography], being to him then unacquainted, was a man greatly given to seek and search old records, and ancient writings, of any in the city of Exeter to do him pleasure in that behalf. Sir Peter, being very earnest and desirous to have his humour to be satisfied, seeketh means of acquaintance with him ; and, having obtained the same, he did forthwith show and impart unto him two or three old writings of evidences concerning the said lands, and of which one was very old, and had been trodden under the feet, and by that means the letters were almost worn out ; nevertheless, this man did read them, and declare the effect of them unto him, which he did like so well that then he committed unto him the view and search of all his evidences, of which he had sorted and chose out so many as he thought did appertain to this matter, and all these he wrote into a fair book, and thereof as also out of his other evidences he drew out his pedigree and descent. And then Sir Peter being satisfied of his title and instructed of his right, did, by the advice of his writer, make his repair to Her Highness and to the Council, laying before them and giving them to understand what title and right he had to sundry pieces of land in the realm of Ireland, most humbly requesting that he might have the liberty to travel over into that realm for the recovery thereof. Her Majesty and Council seemed to be glad thereof, and did not only grant his request, but also sent their several letters to the Lord Deputy of that realm and all her officers for his furtherance and help therein.”\*

Mr. Body, the antiquarian, having gone over to Dublin and examined the records, made astonishing discoveries as to Sir Peter's estates ; he thought himself able “to justify the title which Sir Peter had to sundry seignories and pieces of lands as well in

\* Life of Sir Peter Carew, Carew MSS., Vol. II., p. xcvi.



the province of Leinster, where the barony of Idrone lieth, as also in the province of Munster, in which he had great seignories, and where his ancestors were sometime Marquises, and the province of Meath, in which are the lordships of Dowlyke and of Maston Twete, sometime called Bally-Maclethan, and sundry other particular pieces lying thereabouts."\*

There was nothing, in Mr. Body's opinion, to affect Sir Peter's title, but only prescription, that is, his ancestors had left Ireland some centuries before, and their very memory had perished out of the land. An old lady described him: "Ye have heard that it is an old saying that a dead man should rise again, and, lo! yonder he is; for his ancestors were great lords, and had great possessions in this realm; but having not been heard of these 200 or 300 years, it was thought that they had been all dead, and none left in life to claim the same; and now this man is risen as it were from the dead, and is awoken, and mindeth to stir them out of their nests, which thought to lie there all at their rest."†

Legal operations were commenced by proceedings against Sir C. Cheevers, for the recovery of the lands of Maston, within the Pale. The public feeling ran so strongly against Sir Peter that, the Irish lawyers refusing to plead for him, he was obliged to bring over English counsel, with whose assistance he constructed a Bill to the Deputy and Council for the recovery of the estate. In vain Sir Christopher objected to the jurisdiction of the Court; it was held, "That, inasmuch as Sir Peter could not have a fair trial at common law, his matter was determinable before the Deputy and Council." The course of proceeding of this improvised Court was simple in the extreme, for Sir Christopher's counsel was abridged "from all the dilatoriness which they were minded, and might have used at common law."‡ Seeing that there was no chance of success, Sir Christopher let judgment go against him, probably by some arrangement, for Sir Peter released his claims for a nominal amount.

Having thus secured a precedent in his favour, Sir Peter presented another Bill against all the Kavanaghs, and having obtained

\* Life of Sir Peter Carew, Carew MSS., Vol. I., p. xcviij.

† Ibid., p. xcviij.      ‡ Ibid., p. c.

judgment to recover the Barony of Odrone,\* and to maintain him in possession of it, he was appointed to be the governor of Leighlin, and commander of a troop of cavalry. He appears to have got on well with the inhabitants of the district, who all attorned to him; but, having laid claim to some lands of the Butlers, and having claims to make to the south of Leinster and great part of Munster, he excited the hostility of the adjoining proprietors, and lived in a state of petty warfare, which ultimately swelled, in 1569, into an open rebellion. He died in 1575 at Ross, while endeavouring to establish his title to estates in Munster.

Sir Peter Carew's career, though not remarkable in itself, is noteworthy as displaying the eagerness with which the Government of England encouraged adventurers proposing to settle in Ireland; the despotic measures adopted to support them; the extreme uncertainty of landed tenures, even in the English districts; and the disregard of English legal procedure, when it stood in the way of the Council or their favourites.

In the year of the death of Sir Peter Carew there arose the discussion between the Government and the inhabitants of the Pale as to the right of the Crown to levy unlimited cesses; this, one of the most curious incidents in the reign of Elizabeth, shows how little that Queen, while professing as the aim of her policy to Anglicise the Irish, would tolerate any appeal to the Constitution on the part of her Anglo-Irish subjects.

The sufferings of the people of the Pale, from continued and excessive cessing, had been reported by every Deputy to the Government. This cess was defined by Sidney as "a prerogative of the prince, and an agreement and consent of the nobility and Council to impose upon the country a certain proportion of victual and provision of all kinds, to be delivered and issued at a reasonable rate, and at, as it is commonly termed, the Queen's price."† It was for the most part levied on the five English shires, and certain Irish counties adjoining, and distributed according to the number of ploughlands.‡

In November, 1576, Viscount Baltinglass and others, inhabitants

[\* The decree is set out in Morrin, Vol. I., p. 520.]

† Carew MSS., Vol. II., p. 66. ‡ Collins's Sidney Papers, i., p. 180.

of the Pale, presented a most respectful petition to the Deputy and Council, in which they stated—"For some years past we have been oppressed with cesses and exactions contrary to the laws, and our corn, grain, beeves, mutton, and other accates have been taken up at mean and low prices, whereby we are reduced to great decay and poverty. We, therefore, beseech that henceforth Her Majesty's subjects be no further exacted or oppressed other than Her Highness's laws and statutes of the realm doth warrant and allow of." Professing their duty to Her Majesty, they begged the Deputy to permit a deputation on their behalf to proceed to England and represent their grievances to Elizabeth.\* Receiving no satisfactory answer from the Deputy, the Lords Baltinglass, Howth, Delvin, Trimleston, and Killene, commissioned three gentlemen "to relate their griefs and require redress at Her Majesty's hands."† To their instructions they annexed an estimate of the loss inflicted by the cess. One thousand beeves had been taken up by the Government, "for the provision of the Lord Deputy's household, at 9s. sterling, the price allowed by the Council; if sold in the market, they would have been worth 20s. Muttons, 3,900 at 12d. a piece, which were worth in the market 2s. 6d.; veals, 130, at 1s. each, worth in the market 5s. each;" and so on, through all kinds of provisions. Horses also were quartered on the people at  $0\frac{3}{4}d.$  per diem, though their keep cost 4d.; also their grooms at  $0\frac{3}{4}d.$  per diem, though costing 4d. per diem. The total loss to the farmers by the cess for the house is calculated at £2,210 11s. 8d. The loss for the year arising from the cessing for the army is set down at £4,339 13s. 9d. The statement concludes: "Also Her Majesty's army pay nothing commonly in their travels throughout the country, but rather receive money of the subjects. They (the inhabitants of the Pale) are forced to entertain kerne upon their own charges, in sundry times of service. They affirm that they always serve and guard the Pale, upon their own charges, in the absence of the Lord Deputy."

Sidney proposed to commute the cess for a charge of four marks on each townland, which the Pale lords wisely declined, as equivalent to a rent-charge. As no agreement could be arrived at, the

\* Carew MSS., Vol. II., p. 57.

† Carew MSS., Vol. II., p. 58.



cess was again imposed upon all estates, without regard to certain exceptions which had previously been allowed. At last, Messrs. Nettervill, Sherlock, and Burnell proceeded to England, but soon found that any questioning of the prerogative was a matter of no little danger.

On the 14th of May, 1577, the Queen writes to the Deputy, complaining of the deputation being at Court, and of the allegations made by them as tending to the overthrow of the prerogative:—"We cannot but be greatly offended with this presumptuous and undutiful manner of proceeding; and, therefore, must let you know that you, and the rest of our Council there, did very much fail in your duties in suffering our royal prerogatives to be impugned by them in open speeches and arguments, and in not committing such as appeared to be principals. Had you done this the matter might have been remedied at the beginning. We have already given orders for the punishment of the parties sent over with the said letters, not in respect of their coming over to lay before us their griefs, but for that they did since their arrival here, both by speech and writing, maintain of the said cess to be a matter against the laws and customs of that realm, although they do now acknowledge their offence. You likewise shall send for the lords and gentlemen that subscribed the letters sent to us, and demand of them whether they will maintain that the imposition is against the laws and customs, and not maintainable by our prerogative. If they so far forget themselves as to do so, you shall commit to ward the chiefest of them. You shall notify to the subjects of the realm that we are most resolutely determined to maintain the same."\*

This privilege, which the Queen held to be so undoubted, was the old coyne and livery under an English disguise. Act after Act had been passed denouncing this damnable custom, the chief evil and sin of the Celtic chiefs, from which the spread of English law was to save the tillers of the soil; and now the English Pale is found suffering under the exaction, in addition to their feudal services and taxation.

The deputation was examined before the Privy Council. They asserted that the imposition was of recent origin, and should be

\* Carew MSS., Vol. II., p. 78.

regulated according to the current market prices. They pointed out, in respectful and moderate terms, the inequality of the assessment; its uncertainty and mischievous effects on industry; "they would have their burdens not to rest in discretion, but to be grounded upon law."\* They suggested a reasonable mode of redressing their grievances, without injury to the Treasury. "As for easing of the country, the soldier to pay no more than his wages will bear, and the Queen's Majesty to be no further burdened than now she is. We can devise no better order to be taken for that purpose than to increase the soldier's pay, by following which way Her Highness will be at less charge than now she is said to be at. And for the further easing of Her Highness in respect of this increase of pay, both Her Majesty and your Lordships may assure themselves that, this being proposed in Parliament, the country will contribute towards it to the uttermost of their powers, wherein we will persuade by all the ways we can."†

This suggestion appeared to Her Highness not so much an attempt to seek relief for the great charge of cess, but rather to take it away as a thing contrary to law, "which Her Highness would not bear." Whereupon Sherlock and his two companions were committed to the Fleet for their presumptuous behaviour.‡ In conformity with his special instructions, the Deputy summoned before him the chief persons engaged in opposing the cess. Their treatment appears from the petition of the gentlemen of the Pale to the Council:—"Also Her Majesty willed that those whose names were subscribed unto the said letter should be punished for withstanding and repugning her Royal prerogative, like as Her Majesty had there committed those that had caused the same letters from hence, as more at large in the said letter appeareth. Whereupon your suppliants being called before your honours here, and committed to Her Majesty's said castle for subscribing of the said letters, and sundry times examined severally, and some of them, as the Lords of Howth and Trimleston, with other gentlemen, being put in close prison, they all have there remained these ten days." To appease Her Majesty's ill opinion of them, they "humbly submitted themselves unto her in such sort and ample manner as their

\* Carew MSS., Vol. II., p. 63

† Ibid., p. 63.

‡ Ibid., p. 80.

agents had there done, beseeching their honours to be mean to Her Highness for recovering her favour, and to be petitioners for them unto Her Majesty, for relief of the poor country then brought into great decay, and also for the enlargement of their factors there, and in the meantime for an order of the suppliants' discharges."\* The signatures to this document show that the opponents of the cess were the best and most loyal of the Pale—Baltinglass, Delyvn, Nugent, Howth, Plunket, Sarsfield, Nangle, and Talbot.†

Thus all these thoroughly English gentlemen were laid in prison in the Castle for stating that, although most willing to supply the necessities of the Government, they objected to illegal exactions, forbidden by a series of Acts of Parliament, and which every Deputy had denounced as mischievous and unjust.

Sidney was most indignant with the three gentlemen who had gone to London, and desired they might be punished for their indecent and undutiful speech, "by which he hoped many more would be brought to plenary and due obedience." He writes as follows of these Irish "Hampdens":—"This Sherlock hath purchased more and builded more than his father, grandfather, or all his sons ever did; and his chief means and credit to get this was by being attorney to your sister. Nettervill is the younger son of a mean and second justice of one of the Benches, born to nothing, and yet only by our Majesty's bounty he liveth in better circumstances than his father did. Burnell's father is alive, and an old man, but neither in youth nor in age lived, nor was able to live, in half the appearance that this man doeth. Of Burnell I will say little, but I wish he had been better occupied; for he is a man well spoken and towardly enough otherwise. If he would have applied himself to his profession and followed his clients' causes, and *not so harshly have meddled with Her Majesty's prerogative, which is not limited by Magna Charta, nor found in Littleton's Tenures, nor written in Books of Assize, but registered in the memoirs of Her Majesty's Exchequer.*"‡

\* Carew MSS., Vol. II., p. 60.

† These gentlemen were committed to the Castle on the 6th of February, and were still in custody on the 28th June following, when they again petitioned for their release.—Carew MSS., Vol. II., p. 113.

‡ Collins, Sidney Papers, Vol. I., p. 179.



By the policy of the Government all parties were rendered dissatisfied, and the condition of the country continued uncertain and dangerous. As if to add private rancour to public discontent, the Queen continued to intervene in the quarrels between the Butlers and Desmonds, in favour of the former, insisting upon a decision in their favour, quite irrespective of the merits of the case. Meanwhile, year after year, Elizabeth's position became more difficult. However anxious Philip and Elizabeth were to maintain the old alliance of England with the house of Burgundy, the private war carried on between the subjects of Spain and England was ripening into international hostilities; the ecclesiastical leaders of the Catholic party, impatient at the long protracted resistance of the heretic sovereign, were ready to attempt plans bolder, perhaps wilder, than before. Elizabeth, incapable of understanding the crisis in which she lived, was slowly drifting into the European struggle, but still believed that she might avoid it by practising her old policy of shameless and threadbare tricks, which might puzzle, but no longer deceived any; despite the desires and efforts of sovereigns and diplomatists, England and Spain were being forced into the great duel, which was to decide whether the Protestant party should perish or survive.

About this period the Catholic ecclesiastics, or rather the members of the Jesuit order, interfere for the first time in Irish affairs. Their conduct has been very harshly judged, and the extent of their influence overrated. These priests had been organised for the purpose of resisting the Reformation; their members were taught, and firmly believed, that the Church of Rome was Christ's Church on earth; that its enemies were heretics and destroyers of men's souls; that the maintaining of the Holy Church and the opposing of error was God's cause; that they were bound by all means in their power, by active exertions, by intrigue, by death and martyrdom—for they were ready to meet death and suffering in the cause—to further the restoration of the Church, and to put an end to the schism. By their perfect organisation, obedience, discipline, and omnipresence, they possessed complete information, and gathered into their hands all the threads of Catholic diplomacy. Their seemingly mysterious influence bewildered the Protestant party, and their wisdom and unscrupulousness were magnified by popular

credulity. With all allowance for exaggeration, they were the strength of the Catholic cause. Amid the dishonesty of all the politicians of the time, the Jesuit order had a definite object, and steadily pursued it; their aim was ever the same, though their means were various. They could drive back Protestantism in Germany by fierce and vehement preaching; they could weave intrigues and conspiracies against the throne of Elizabeth; they could support the Guises in the struggles of the Leagues; they could meet the martyr's death at Tyburn, when a single admission of the Queen's Sovereignty would have saved them from an ignominious death. Their energy, palpable to all, and the many intrigues in which they were actually engaged, and, far more, those attributed to them, have caused exaggerated ideas to be entertained of the results which they achieved. As preachers, teachers of youth, and controversialists, they achieved much; but, when they intervened in politics, they seldom ultimately attained their object, as is the fate of every religious body under similar circumstances. Religious men, desiring through temporal politics to effect religious objects, are uniformly unsuccessful in proportion to the intensity of their faith and zeal. They attribute exaggerated importance to religious influences; they disregard the faith and zeal of those whom they believe to be heretics and unbelievers; they underrate the forces opposed to them and the influence of temporal and secular motives; they have a vague belief in special interpositions of Providence, and almost unconsciously expect miracles to be worked in their favour; they have an unjustifiable faith in the influence of particular individuals, and too great a reliance on intrigue and backstairs influence. When opposed to any great moral, intellectual, or national movement, such men are absolutely helpless; they are unable to understand their antagonists, and their elaborately devised plans are swept away by the torrent of a revolution. No organised religious body has succeeded, or will succeed, in turning or damming the course of a national movement. Their too ingenious schemes fail in execution, and entail ruin on themselves and the cause which they attempted to sustain. It is as injurious to a true view of the history of this time to underrate or deprecate the Jesuits as to exaggerate the effect they produced. They stood in the van of their Church's battles, and they accepted

the consequences. Their emissaries penetrated to England, and landed in Ireland to overthrow a Queen whom they believed to be a tyrant, and lawfully deposed. In the same spirit the zealous Calvinist minister went forth from Geneva, to assist and support his Huguenot brethren, in open rebellion against the Crown ; so also the Covenanting preachers traversed Scotland to arouse the spirits of the Cameronians in field conventicles. However pious and heroic such men may be, the established Government has only one mode of treating them—be they Catholic or Protestant—as open rebels, more dangerous even than armed insurgents in the field. In the ordinary course of justice they meet a felon's death ; when civil war has commenced, they perish by martial law ; but in their death, as a recompense for all the suffering, they wear the glory of the martyr's crown ; and however necessary their execution, or ignominious their end, they must be honoured as men who willingly laid down their lives for what they believed to be the truth.

Catholic ecclesiastics on the Continent, and the English or Irish refugees, as all exiles under similar circumstances, entertained the most erroneous ideas as to the state of Ireland. They saw the Catholic Church suppressed, and knew that the mass of the people still clung to their old faith, and attributing to the Catholics of Ireland the burning zeal and devotion which they themselves cherished, imagined that, if an opportunity were offered, or a leader armed with Papal authority presented himself, the entire population would rise *en masse* to conquer or perish in the cause of their religion. Equally misjudging the policy of the Catholic powers, they believed that Spain was ready to support with men and arms the cause of that Church of which Philip II. was the avowed champion. The policy pursued by the Pope in relation to Ireland at this date was so feeble and mischievous, that he can only be acquitted of extreme political immorality, upon the ground of having been utterly misled by false information. When a people have taken upon themselves the responsibility of a rebellion, and have once irrevocably thrown the die, any foreign state at war with the Government of the country in which a rebellion is raging, may rightfully, with a view to its own advantage, and for the purpose of effecting a military diversion, give more or less assistance to the rebels in the field ; but it is highly criminal for a



foreign State to urge and induce subjects to revolt by furnishing insufficient supplies, and by delusive promises never to be fulfilled; and when the unfortunate dupes have been irrevocably committed, to leave them to extricate themselves from their difficulties as best they may.

In 1578, an expedition, bound for Ireland, started from Civita Vecchia, consisting of 800 soldiers, under the command of Stukely, who had been decorated with the title of Marquis of Leinster, Earl of Wexford and Catherlogh, &c. It is difficult to understand how His Holiness selected so disreputable a character as Stukely, an ex-pirate, and mere adventurer. Having reached the Tagus, Stukely fell in with the fleet of Don Sebastian, bound for Morocco; and, probably considering that the cause of the true Church could be combined with greater prospects of plunder among the Moors than in Ireland, accompanied the King of Portugal, and perished in that fatal adventure.\*

In the latter end of July, 1579, a small expedition of eighty Spaniards, and some English and Irish refugees, landed at Smerwick, in Kerry, under the command of Sir James Fitzmorris, accompanied by the Jesuits, Sanders and Allen, the former of whom had a commission as Papal Legate; they carried a Papal Bull, authorising the enterprise, and a sacred banner, blessed by the Pope himself. Sir James was well known as having been the chief leader of an abortive rising in 1569, the object of which, as far as he himself was concerned, had been stated in a proclamation then issued by him:—"The war is undertaken for the defence of the Catholic religion against the heretics. Pope Gregory XIII. hath chosen us for general captain in the same war, as it appeareth at large by his own letters patent, which thing he did so much rather because his predecessor, Pope Pius V., had before deprived Elizabeth, the patroness of the aforesaid heretics, of all royal power and

\* This expedition (to a great extent) was recruited from banditti, pardoned by the Pope, on condition of their enlisting to fight against the heretics. (O'Sullivan, Lib. iv., cap. 15.) The mass of the soldiers killed at Smerwick consisted of the *débris* of Stukely's force. (O'Sullivan, *supra*.) Does this in any way account for the mode in which they were treated by Lord Grey?

[Stukely was a man of good family in Devonshire, and was much of the same stamp of adventurer as Sir Peter Carew.]

dominion, as it is plainly declared by his declaratory sentences, the authentic copy whereof we have also to show. Therefore, now we fight not against the lawful sceptre and honourable throne of England, but against a tyrant, which refuseth to hear Christ speaking by his Vicar.”\*

Sanders very fairly expresses his views and expectations in a letter of 24th of September, 1579, to Ulick Burke: “Nowadays, the heretics, as your worship knoweth, violently oppose God’s honour in this world, abandon His vicar, and, by false pretences of God’s word, cut off and wipe away whole books of the Holy Scripture. We fight against them by the authority of the head of our Church. If it please you to join with us in this holy quarrel, you shall be under the protection of that prince, whom God shall set up in place of this usurper, and of God’s Vicar, who will see every man rewarded for his service to the Church: you shall also deserve well of your country. When our aid is come, which daily we look for, when the Scotch and English nobility are in arms, and when strangers begin to invade England itself, it shall be small thank to be our company.”†

Although Sir James was joined by the two brothers of the Earl of Desmond, no serious rising took place. The invasion and rising were put an end to by a few skirmishes; Fitzmorris was killed by one of the Burkes, who said that “he had too much of rebellions already,” and insisted upon some horses which had been seized by

\* Carew MSS., Vol. I., p. 400. The allusions to the “lawful sceptre and honourable throne of England” were, in the rising of 1569, evidently introduced to conciliate the Butlers, who rose on that occasion.

† Carew MSS., Vol. II., p. 159. The history of O’Sullivan Bear enables us to realise the views with which this war was regarded by a Spanish Catholic, and truthfully reflects the opinions of the Irish exiles at the commencement of the seventeenth century. He treats these wars as essentially religious, and claims for the vanquished the glory of martyrdom. Of the reign of Elizabeth he says:—“*Voluptas, libido, scelus, hæresis extollitur. Quorum scelerum nutrix et tutrix Elizabetha merito fuit a Pio V. P. M., heretrix pronunciata anno 1569, v. kal. Martii (ut placet Michaeli ab Irselto), et ei regnum adimendi potestas aliis facta. Hinc a multis Ibernis sæpe capiuntur arma pro religionis jure; omnia ferro et flamma devastantur et corrumpuntur. Quibus procellis atque fluctibus quot Iberni propter Christi legem perierunt, superi norunt.*”—(Lib. ii., cap. 4.)

Sir James being restored. Allen was shot in a skirmish, and Sanders escaped to the Earl of Desmond.\*

Meanwhile the Earl of Desmond could not make up his mind what he should do. As if in anticipation of the rising, an undertaking had been signed on the 18th of July by several gentlemen to support Desmond against the Deputy, "or any other that will covet the said Earl's inheritance." Nevertheless, upon the landing of Sir James, he professed loyalty; and having been arrested upon suspicion, renewed the oath of allegiance, and was set at liberty. He looked on from an adjoining hill at the skirmish, in which his brother was defeated, and Allen killed; shortly after attacked an English detachment, then again protested his loyalty, but would not come into Lord Ormond's camp. On the 2nd day of November he was proclaimed a traitor, unless he surrendered in twenty days; hereupon he openly went into rebellion, when it was too late to do so with any prospect of success, and explained his motives in the following circular:—"It is so that I and my brother are entered into the defence of the Catholic faith, and the overthrow of our country by Englishmen, which had overthrown the Holy Church, and go about to overrun our country and make it their own, and to make us their bondmen, wherein we are to desire you to take part with us, according as you are bound by conscience and by nature to defend your country; and if you be afraid, we should shrink from you. After you should enter this cause you shall understand, that we took this matter in hand with great authority, both from the Pope's Holiness and from King Philip, who do undertake to further us in our affairs as we shall need, wherefore you shall not need to fear to take one part of it; and be assured we will never agree with none of your adversaries without your consent."†

\* The only noteworthy exploit accomplished by either Sir James Fitzmorris or the Desmonds was the murder of Mr. Davers at Tralee, by Sir John of Desmond, who had been an intimate friend of this unfortunate English officer. "*Inter alia refert Johanni vero se fidem non habiturum, priusquam facinus aliquod dignum committat, quo hæreticorum iram atque indignationem provocet sibi quoque illum fidum fore intelligat; illico Johannes, Traliam oppidum invadens, Daversium justitiæ ministrum, Arthurum Carterem Mononiarum castramentorem, Anglos, hæreticos, Miachum judicem, Raymondum Nigrum, cum aliis occidit cæterosque Anglos ex oppido fugat, quo facto laudatus.*"—O'SULLIVAN BEAR, Vol. II., Book iv., p. 95.

† Cox, Part i., p. 361.



The Earl of Desmond was utterly unfit to conduct a war of any kind. No large engagement whatsoever occurred ; his exploits never were more than an occasional skirmish or plundering excursion, and he gradually sunk into a fugitive, and finally into a mere criminal fleeing from justice ; after suffering the utmost distress and misery, he was slain by some Irish in the Queen's service in 1583.

The feebleness and folly of the Desmond rising gave the war, on the part of the English, a peculiarly barbarous character. There was no organised force in the field to attack, there was no rebel executive to negotiate with ; yet the population of great part of Munster were devotedly faithful to the house of Desmond, concealed his movements, and succoured him in his distress. Spanish vessels were every day hovering off the coasts ; Spanish expeditions were constantly announced as ready to start : one expedition did actually arrive. The English officers, dreading the arrival of an expedition from the Continent, strained every nerve to extinguish utterly the Desmond rising, not only by capturing the Earl himself, but by wasting his vast estates, and dispersing, or rather exterminating, the population, which on the first prospect of success would have openly supported their hereditary lord. The troops, insufficient in number, harassed by constant marchings and alarms, and rendered brutal by the nature of the service in which they were employed, were permitted by their officers to commit atrocities of every description.

Sanders, with the faith and obstinacy of a fanatic, predicted and probably believed in the speedy arrival of succours. " All obstinate Papists wish well to the rebels, in respect that the Pope's banner is displayed, and a Government expected that shall settle them in their religion. It is generally given in all parts that a wonderful navy is prepared in Italy under the conduction of Romans, Neapolitans, and Spaniards, to come to the relief of the Papists here ; and that the preparation of munition and furniture for the war is infinite, and likewise of victual, especially wine, corn, oil, rice, and such like, at the equal charges of the King of Spain and the Bishop of Rome. This opinion is published and preached by Dr. Sanders, who makes Desmond believe that Munster is his portion, and that Ulster is appointed to Turlough

Lenoughe, for confirmation whereof one Lucius, an Italian legate, is expected to come from Rome.”\*

“The forenamed William M'Morris affirmeth that the traitors make assured account of great forces from Spain, and plenty of treasure; and saith that when the Earl of Desmond prayed Doctor Sanders to embark himself for Spain, to haste hither the forces, he made answer that his letter was sufficient to bring that to pass without his own travail, offering that he would remain pledge to be massacred (for that was his manner of speech) unless those forces did arrive shortly.”†

Desmond himself continued in hopeless expectation of immediate succour.

“Many of his poor people, meeting him of late, cursed him bitterly for entering into this war, to whom he made answer, that if his aid from Spain and the Pope come not before Whitsunday, he would seek a strange country, and leave them to make their compositions with England as well as they could; which banishment or some more honourable end for your Majesty I would undoubtedly hope of. The confidence that these people have in the assured coming of foreign aid from sundry parts hath so bewitched them, as within these two days those few of the freeholders of the County of Limerick that held firm to your Majesty have revolted, whereby you are entitled to every part of Limerick and Kerry, which will largely recompense your charges.”‡

The English officers made no secret of the mode in which the war was carried on. In 1580 Pelham reports: “We entered Connelough in two companies, Ormond towards the Shannon side, and I upwards towards Newcastle, and marched all the day without offence of any enemy, wasting and spoiling the country to the foot of the mountain of Sleulougher. The people and cattle, flying before us in the mountain, were followed by some horsemen and light footmen. We encamped in two places, not far distant one from the other, near Desmond's first and most ancient house of Castle Shenet. Finding the country plentiful, and the people but newly fled, we left our camps guarded the next day, and searched

\* Carew MSS., Vol. II., p. 172.

† Ibid, p. 199.

‡ Lord Justice Pelham to the Queen, Carew MSS., Vol. II., p. 239.

some part of the mountain. There were slain that day, by the fury of the soldiers, above 400 people, found in the woods, and wheresoever any house or corn was found it was consumed by fire." And again: "Captain Mackworth entered the outer ban, and was master of it presently. The Spaniards retired to a turret upon the wall of the barbican, and some into the vaults. Some of the Irish, and one Englishman, a rebel, attempting to escape by swimming, were slain. Upon a shot or two, part of the Spaniards left the turret, and were executed. Only Captain Julian and six other Spaniards, and certain women, submitted themselves to Captain Mackworth. All were presently hanged, saving the Captain, whom I keep for a day or two, to learn what is intended, and how they have been succoured and relieved."\*

"I have possessed Her Majesty of all the holds that the Earl of Desmond kept. Desmond and his confederates made no show against Ormond or me, but the unseasonable time of the year has made war sufficiently against us, especially the horsemen. A number of the rebels will starve."†

The English officers in this war did not consider themselves bound by any of the laws of civilised war. No mercy or courtesy was due to the rebel Celt or to his allies. The poet Spenser can justify and excuse the massacre of the Italian Papal troops at Smerwick. "Eudoxus (speaking of Lord Grey).—But in that sharp execution of the Spaniards, at the fort of Smerwick, I heard it (his sternness) specially noticed; and if it were true, as some reported, surely it was a great touch to him in honour; for some say he promised them life; others at least he did put them in hope thereof." "Irenæus.—Both the one and the other is most untrue; for this I can assure you myself, being as near them as any, that he was so far from promising, or even putting them in hope, that when first their secretary (called, as I remember, Signor Jeffrey), an Italian, being sent to treat with the Lord Deputy for grace, was flatly refused; and afterwards their Colonel, named Don Sebastian, came forth to entreat that they might part with their arms like soldiers, at least with their lives, according to the custom of war

\* Pelham to the Lords of Council, Carew MSS., Vol. II., pp. 236-7.

† Pelham to Hallon, *ibid.*, p. 244.



and law of nations. It was strongly denied him, and told him by the Lord Deputy himself, that they could not justly plead either custom of war or law of nations, for that they were not any lawful enemies; and if they were, he willed them to show by what commission they came, whether from the Pope, or the King of Spain, or any other. The which when they said they had not, but were only adventurers, that came to seek their fortune abroad, and to serve in wars amongst the Irish who desired to entertain them; it was told them, that the Irish themselves, as the Earl and John of Desmond, with the rest, were no lawful enemies, but rebels and traitors; and therefore they, that came to succour them, no better than rogues and runagates, especially coming with no license or commission from their own King; so as it should be dishonourable for him in the name of the Queen to condition or make any terms with such rascals, and left them to their choice to yield and submit themselves or no. Whereupon the said Colonel did absolute yield himself and the fort, with all therein, and craved only mercy; which it being not thought good to show them, for danger of them, if being saved they should afterwards join with the Irish; and also for terror to the Irish, who are much emboldened by those foreign succours, and also in hope of more ere long; there was no other way, but to make that short end of them, as was done.”\*

The results of a war so carried on appear in the well-known passage of Spenser:—“Although there should be none of them fall by the sword, or be slain by the soldiers, but thus being kept from manurance, and their cattle from running abroad, by this hard restrain they would quickly consume themselves and devour one another. The proof whereof I saw sufficiently exemplified in these late wars of Munster; for, notwithstanding that the same was a most rich and plentiful country, full of corn and cattle, that you would have thought they should have been able to stand long, yet ere one year and one-half they were brought to such wretchedness, as that any stony heart would have rued the same. Out of every corner of the woods and glens they came creeping forth upon their hands, for their legs could not bear them; they looked like anatomies of

\* “A View of the State of Ireland,” p. 511, 8vo edition. It should not be forgotten that the Desmond war was contemporary with the Spanish campaigns in the Netherlands. Maestricht was stormed in 1579.

death ; they spoke like ghosts crying out of their graves ; they did eat the dead carrions, happy where they could find them ; yea, and one another soon after, inasmuch as the very carcases they spared not to scrape out of their graves ; and if they found a plot of water-cresses or shamrocks, there they thronged as to a feast for the time, yet not able long to continue there withal ; that in short space there were none almost left, and a most populous and plentiful country suddenly left void of man and beast ; yet, sure in all that war there perished not many by the sword, but all by the extremity of famine, which they themselves had wrought.”\*

The natives of the Pale, irritated by religious innovations and the imposition of the cess, had gradually been prepared for insurrection. During the crisis of the Desmond war they remained inactive, and having let the favourable time pass by, in July, 1580, broke out into revolt under the Lord of Baltinglass as their leader. The English settlers, devoted to the Government by tradition and interest, and parties to the various changes in the religious state of the island, seem to have been sorely perplexed as to the precise pretext to be put forward for their rising. The declaration of Lord Baltinglass is remarkable from the mixture it presents of semi-Catholicism and resistance to illegal oppression :—“ Whereas you hear that I assemblie great companies of men together, you know I am not of such power, but whatsoever I can make, it shall be to maintain truth. Injuries though I have received, yet I forget them. The highest power on earth commands us to take the sword. Questionless, it is great want of knowledge, and more of grace, to think and believe, that a woman, uncapax of all holy orders, should be the supreme governor of Christ’s Church, a thing which Christ did not grant unto His own mother. If the Queen’s pleasure be, as you allege, to minister justice, it were time to begin ; for, in this twenty years past of her reign, we have seen more damnable doctrine maintained, more oppressing of poor subjects, under pretence of justice, within this land, than ever we read or heard (since England first recovered the faith) done by Christian princes. You counsel me to remain quiet, and you well occupied in persecuting the poor members of Christ. I would you should

\* “ A View of the State of Ireland,” p. 510.

learn and consider by what means your predecessors came up to be Earls of Ormond. Truly, you should find that if Thomas Becket, Bishop of Canterbury, had never suffered death in the defence of the Church, Thomas Butler, *alias* Becket, had never been Earl of Ormond.”\*

If the rising of Desmond was feeble, that of the Lord Baltinglass was insane; without a serious blow struck, the affair collapsed, and the only result was the execution of several enthusiastic gentlemen of the Pale.

The result of these fruitless invasions and risings was not merely the destruction of life and property which attended them, and the confiscation of the estates of the leaders, but, what was far more injurious to the mass of the native population, the belief necessarily created in the minds of all Englishmen that the Catholic religion and disloyalty were identical. Insurrection had been preached in the name of the Catholic Church; it had been stated by Catholic insurgents that the highest power on earth commanded them to take the sword; a Papal Bull had absolved from sin all who should die in battle against a heretic sovereign; a banner, blessed by the Pope, had been planted as a rallying point for all the disaffected; was it to be wondered if the English regarded all Catholics as possible rebels? Although few Catholics had joined the holy war, and many had served in the forces of the Queen, it was suspected that all who sincerely believed the Catholic faith, and acted up to their principles, should have rallied to the standard of the Legate; and the loyalty of many Catholic gentlemen of the Pale, who had remained true to the Queen, and the religious indifference of the many Celtic chiefs who had served in the royal army for pay or by compulsion, received no thanks, and were attributed to lack of belief in their own creed, or personal apprehensions. After all, they were Catholics, and open to the influence of religious, such as Sanders and Allen. Catholic laymen naturally became marked objects of suspicion; and Catholic priests,

\* *Vide* Baltinglass to Ormond, Carew MSS., Vol. II., p. 289. [This alludes to a tradition that Theobald Fitzwalter, the ancestor of the Butlers, was nephew of Thomas à Becket.]

† The document is printed *in extenso* in O'Sullivan, Lib. iv., cap. xvii.



wholly unconnected with the conspiracy, when arrested, were subjected to the treatment which, according to the political morals of the period, might have been meted out to Sanders and Allen. No enterprise, so absurd in conception and futile in execution, has been the original cause of more political errors and national suffering than the insane crusade of Sir James Fitzmorris.

The estate of the southern Geraldines having been confiscated, and the population almost destroyed, an English plantation in Munster followed, as of course. In Munster 574,628 acres were forfeited to the Crown, freed from all usual interests; and by the 28th Elizabeth, cap. 5, all feofments made by rebels within thirteen years past were declared void, unless in one year the opposite should be proved before the Court of Exchequer. This tract of land was portioned out into seigniories of 12,000, 8,000, 6,000, and 4,000 acres each. The undertakers, that is, the grantees who should undertake the planting of the territory, were to have estates in fee-farm, at a rent of £33 6s. 8d. for estates of 12,000 acres, to be doubled after the expiration of three years. Every undertaker of 12,000 acres was bound to plant 86 families; to retain for his own family, 1,500 acres; for one chief farmer, 400 acres; for two good farmers, 600 acres; for two other farmers, 400 acres; for fourteen freeholders (300 each), 4,200 acres; for forty copyholders (100 each), 4,000 acres; for twenty cottagers and labourers, 800 acres.

Some undertakers obtained more than one seigniory. Sir Walter Raleigh secured 42,000 acres in Cork and Waterford.

As a rule, the undertakers either did not or could not carry out the terms of the plantation; as the former class of feudal proprietors, they failed to bring over English colonists, and sub-let their lands to Irish tenants, more easy of management and capable of paying larger rents than English yeomen. Thus, after all, the actual displacement of the inhabitants was less than might have been anticipated. The result was rather to introduce foreign landlords than to establish an English population. Than this nothing could have been more mischievous. Where confiscation has occurred, and a plantation is attempted, it is for the interest of all, both old inhabitants and new settlers, that it should be carried through; that the new comers should be planted in sufficient

numbers to overawe resistance, and enforce peace, in the benefits of which all must at length participate. The plantation of Munster naturally exasperated the natives, but failed to overpower them. The scattered English settlers were so feeble in most of the districts, that the first popular rising was certain to expel them; meanwhile they only retained their position, until the natives recovered from the effects of the Desmond war, or the central executive declined or became incapable any longer to maintain them.

The most remarkable exception to the general class of undertakers was Mr. Richard Boyle, subsequently Earl of Cork. The early career of this adventurer is worthy of note. In his autobiography he writes:—"I was born in the city of Canterbury (as I find it written by my father's own hand), the 3rd of October, 1566. After the decease of my father and mother, I being the second son of a younger brother, having been a scholar in Bennett's College, Cambridge, and a student in the Middle Temple, finding my means unable to support me to study the laws in the Inns and Court, put myself into the service of Sir Richard Manwood, Knight, Lord Chief Baron of Her Majesty's Court of Exchequer, where I served as one of his clerks; and perceiving that my employment would not raise a fortune, I resolved to travel into foreign kingdoms, and to gain learning, knowledge, and experience abroad in the world; and it pleased the Almighty by His divine providence to take me, I may say, just as it were by the hand, and lead me into Ireland, where I happily arrived at Dublin on the Midsummer eve, the 25th of June, 1588. When I first arrived at Dublin, all my wealth was then £27 3s. in money, and two tokens—namely, a diamond ring, which I have ever since, and still do wear, and a bracelet of gold, worth about £10; a taffety doublet, cut with and upon taffety; a pair of black velvet breeches laced; a new Milan fustian suit, laced and cut upon taffety; two cloaks; competent linen and necessaries, with my rapier and dagger. And the 23rd of June, 1632, I have served my God, Queen Elizabeth, King James, and King Charles, full forty-four years, in Ireland; and so long after as it shall please God to enable me." Such was the commencement of the career of the man who ultimately became the greatest subject in the kingdom. What he effected is stated by Cox as follows:—"The Noble Earl of Cork, Lord High Treasurer, was one of the most extraordinary

persons either that or any other age hath produced, with respect to the great and just acquisitions of estates that he made, and the public works that he began and finished for the advancement of the English interest and the Protestant religion in Ireland, in churches, almshouses, free schools, bridges, castles, and towns—namely, Lismore, Tallagh, Cloghnékilty, Innyskeene, Castletown, and Bandon, which last place cost him £14,000, inasmuch that when Cromwell saw these prodigious improvements, which he little expected to find in Ireland, he declared ‘that if there had been an Earl of Cork in every province, it would have been impossible for the Irish to have raised a rebellion.’ And whilst he was carrying on these solid works, he lived in his family at a rate of plenty that exceeded those who consumed great estates in the lavish ways of ill-ordered excess. His motto—‘God’s Providence is my inheritance,’—shows from whence he derived all his blessings, the greatest of which was the numerous and noble posterity he had to leave his estate unto.” The settlements effected by the Lord Cork deserve the more attention, as the presence of so many English and Protestants in Munster became subsequently a matter of considerable political importance.

The general condition of Munster, and the mode of government which prevailed there after the plantation, are illustrated by a letter from the Chief Justice Saxie to the Lord Keeper (January, 1597):—“And when divers Englishmen have been lately murdered and spoiled, by reason they have so singled their dwellings, that they lie open to the malefactor, without ability of defence or mutual succour, all English inhabitants should be drawn into a near neighbourhood of twenty households at the least, and none not inhabiting in a castle to be suffered to dwell out of such neighbourhood; and that the same neighbourhood, so inhabiting together, shall, within a certain time to them prefixed, enclose all their dwellings with a great deep trench and quickset, if may be, only leaving two places of ingress and egress, where shall be strong gates, to be shut every night, whereby themselves and their cattle shall be in better safety from the thief and wolf.—The Vice-President hath lately, by most base and slanderous terms, abused the Chief Justice of this province, being then of equal authority with himself upon this occasion. One Donough Rewgh O’Kelly, of the county of Galway, about the



12th of September last, came to Youghal, where the Chief Justice dwelt, with a horse, two mares, and a colt, and was very ready to offer the same to sale at Youghal, where no man knew him. Upon information thereof, the Chief Justice examined him, who said that he was going to the Earl of Ormond to give him land. He could show no passport or testimonial, and himself had never a good rag about him; the Chief Justice committed him, but the Vice-President enlarged him. As this fellow then threatened the constable, who first presented him to me, I committed him for the peace, but he was again enlarged by the Vice-President. Afterwards we had occasion to meet at a general session of gaol delivery at Cork, where the Vice-President reviled and abused me for my courses. I desired leave to depart; he answered, 'Go and be hanged; who sent for you?' By his misgovernment all the English are ready to forsake the country; and, being debarred from the administration of justice, I shall be enforced to keep them company. About Michaelmas last your said suppliant being then at Waterford for the delivery of the gaol there, was certified, by letters from the portreeve of Cashel, of a school of thievery of horses and of cows kept in that country, and that the master and usher, with seven or eight of their scholars, some out of every county of this province, and some the bastard sons of the best of the country, who had lately before committed divers and sundry stealths, were apprehended, and there in gaol, and had the night before offered a dangerous escape, assured of rescue and relief of kerne without the town, combined with them, upon the escape, to burn all that country; and, therefore, most earnestly prayed the delivery of them by due course of law with all speed. Whereupon your suppliant, within two days after (not without some hazard of his own life), rode thither, and finding the information true, held session, wherein the said master and usher and seven of their scholars were attainted and executed, *without the knowledge or privity of the Vice-President.*"

Upon the whole, the Chief Justice did not find the life of an Irish official agreeable. "As for this nation," he writes, "whose religion is choked in idolatry and superstition, whose hearts are treacherous, and outward conversation savage, cruel, and uncivil, I had rather be a door-keeper in the house of my God than dwell in

the tents of the ungodly ; and my hope, thro' your honourable favour, is that after a while I may be called home to England ; and I shall be most joyful to leave the place of a chief justice of so great a circuit as the third part of England, and end the residue of my aged years in that service, that it may please Her Majesty to allot me."\*

\* Carew MSS., Vol. III., p. 211.

---

## NOTES TO CHAPTER XVIII.

---

### NOTE I.

THE terms of Bishop O'Fihily's submission are given in *Spicilegium Ossoriense*, Vol. III., p. 9, where Cardinal Moran contends that the oath as taken by him had no reference to the spiritual supremacy of the Crown ; but the terms of it are very wide.

---

### NOTE II.

Thonery was the Marian Bishop of Ossory. Although he seems to have been treated as bishop in Elizabeth's reign, there does not seem to be any sufficient evidence that he conformed. The Queen appointed Christopher Gaffney bishop in 1565 during his lifetime, and the Papal appointment of Thomas Strong in 1582 treats him as having been bishop at the time of his death.—Brady, *Epis. Succ. Ossory*.

---

### NOTE III.

The statement in the text as to Bishop M'Caughwell is correctly taken from the abstract in Carew MSS., Vol. III., p. xlv. ; but there must be an error in the abstract. M'Caughwell was Queen's Archbishop of Cashel (1567-1570), and never Bishop of Down. It was the bishop appointed by the Pope, the notorious Meyler Magrath, who was kept out of the bishopric by Shane O'Neill's brother. Meyler Magrath conformed in 1567, was appointed by the Queen Bishop of Clogher in 1570, and Archbishop of Cashel in 1571, and deprived from Down by the Pope in 1580, having thus had the distinction of being Catholic Bishop of Down and Protestant Archbishop of Cashel at the same time. He was no credit to either Church in any respect.



## NOTE IV.

In addition to the bishoprics mentioned in the text at p. 502, the Queen seems to have made no appointment to Dromore, nor to Ardfert and Aghadoe, or Ross, until 1582, nor to Killaloe until 1576, nor apparently to Kilfenora, Killala, or Achonry at any time during her reign.

The details of the appointments made by the Queen and Pope respectively to the several bishoprics up to 1572 are given in Bagwell, *Ireland under the Tudors*, Vol. II., Chap. xxxv., and the Papal appointments in Brady, *Episcopal Succession*. See also Ball, *Reformed Church in Ireland*, pp. 61-63, and App., Note O.

It thus appears that the Crown appointed and gave possession of their Sees to bishops where it exercised real authority, *i.e.*, in Leinster and Eastern Munster. In Ulster, Connaught, and Western Munster either the Crown appointed no bishops, or they could not get possession of their Sees. But as the authority of the Crown extended, so did that of the English bishops, *e.g.*, the first appointment to Ardfert coincides with the suppression of the Desmond rebellion, that to Derry with the first establishment of a garrison there.

---

NOTE V.

This Commission is here quoted from Morrin, who does not give it quite accurately. In the Commission the proviso is that "this power is not to extend against any person having an estate of inheritance or freehold worth 40 shillings yearly or chattels to the value of £10."

See 11th Report of Keeper of Public Records in Ireland, p. 64, Elizabeth Calendar, Fiat., 304.

This inaccuracy led Dr. Richey to draw an inference not wholly warranted by the actual terms of the Commission, as, although an Irishman living after the manner of his nation could not have an estate of inheritance or freehold, he might have chattels to the value of £10, and so come within that exception.

Probably the reason for the exception was, that as execution by martial law did not cause attainder or forfeiture of goods, it was not desirable to hang in that summary manner anyone whose land or goods would be worth the expense and trouble of a trial and conviction at a Session of Gaol Delivery.

## CHAPTER XIX.

---

### THE WAR OF HUGH O'NEILL.

NOTWITHSTANDING the Act of 11th Elizabeth, sess. 3, chap. 1, Turlough Luineach succeeded in establishing himself in Tyrone as "The O'Neill," but in a position very inferior to that of his predecessors. The subject chiefs had disclaimed their allegiance to the Royal house, and by their aid the English Government could without difficulty repress any attempts to establish an independent sovereignty in Ulster. His position had been endangered by the expedition of the Earl of Essex, and the treaty entered into between The O'Neill and Lord Essex on behalf of the Government shows how rapidly the O'Neills were falling into the rank of ordinary tribe chiefs. By this document, dated June, 1572, O'Neill humbly submitted to the Queen, promised to assist the Earl against any person who should oppose her in Ulster, abandoned all claims over the followers of Clandeboy beyond the Bann, all superiority over the Baron of Dungannon's sons, and any persons dwelling between the great river (the Blackwater) and Dundalk, promised to serve the Queen against all persons upon whom she might make war, to endeavour to expel the Scots, to conduct himself peaceably against O'Donnell and all other faithful subjects of the Queen, and to deliver up as pledges his sons Arthur and another. In consideration of his submission, he was to receive of the Queen a grant of all lands from Lough Foyle to the Blackwater, and from the Bann to the Maguire country, *with all the monastic lands in the province.\** On the 7th of October,

\* Carew MSS., Vol. II., p. 12.

1584, he agreed to maintain 300 English footmen at a certain stipulated rate, and to send to Her Majesty yearly one good chief horse and one cast of hawks.\*

In 1584, after the termination of the war in Munster, the Deputy proceeded to Ulster to establish the supremacy of the Queen in that province. Turlough Luineach met him at Newry, and submitted, putting in pledges. In this year the Ulster chiefs came in almost without exception, and the Deputy, having inflicted severe chastisement upon the Scots, proceeded to reduce the province to complete subjection by dividing the government of Ulster between O'Neill, the Baron of Dungannon, and Sir H. Bagnal. O'Neill attended the ensuing Parliament in Dublin, on the 26th of April; shortly after which the Deputy was established at Dungannon, for the purpose of directing a second campaign against the Scots.

At the date of the resignation of Perrot and the appointment of Fitzwilliam as Deputy, the English Government appeared to enjoy an uncontested supremacy in the island, and the natives to have temporarily laid aside any design of insurrection or hope of foreign succour. The Spaniards, who, after the defeat of the Armada, were wrecked upon the western coasts, were treated as enemies; the only Irish chief who received them as friends was transferred to London, and executed. In Munster the natives had been crushed, and in Ulster the power of The O'Neill was paralysed.

On the part of the English garrison this security produced insolence and violence towards the inhabitants. The troops of this period were not restrained by a rigid discipline; they were accustomed to look upon plunder and free-quarters as portion of their remuneration; their officers, in money matters, were not trained to a high standard of honour and honesty; the pay of the privates was generally scandalously in arrear;† soldiers of this description were scattered in small detachments throughout the country with very little duty to perform, and living among natives whom they had been taught to despise as an inferior race. The plundering

\* Carew MSS., Vol. II., p. 382.

† See the account of Sir Thomas Norris's Foot in Dublin, on the 28th May, 1590; Carew MSS., Vol. III., p. 31: also Carew to Heneage, *ibid.*, pp. 35, 36.



and confiscation of Munster had demoralised the officers, who regarded Ireland as a country where they might treat the population with insolence, and by grant from the Crown, or by mere force, appropriate estates to themselves. The Government of Ireland was not careful about such matters, and that of London was left in ignorance of them. If to this be added the difficulty and uncertainty of communication, and the entire absence of public opinion, no violence or outrage of the soldiery to the natives is incredible.

Both the loyal English and the Celtic districts suffered alike. Some years after (1597), the conduct of the troops became a subject of inquiry, and the mode in which the Pale had been treated was stated as follows:—"The horse companies, in passing through the same, every man hath double horses, some officers treble; each of them one boy, some of them two; travelling not four miles in the day—and that not directly, but crossing the country to and fro—wasting with their lingering journies the inhabitants' corn excessively with their horses, and their goods with their extortion. The foot companies likewise observing the same course in travelling, most commonly not above two or three miles in the day, though their appointed garrisons be not ten miles off, yet do they go thirty miles about, being followed and accompanied as they go through the Pale, each soldier with his boy at least, and for a great part with their women, and many horses as well of their own as of the country, taken violently from their owners to carry them, their children, and women; pleasing themselves at their pleasures; exacting meat and drink far more than competent, and, commonly, money from them; their boys, women, and followers, much exceeding the people's ability, taking money from [for?] their officers after a double rate, whereof among every seven and eight soldiers they affirm commonly to have one. And if there be any wanting of a full company—as commonly in these journies, and all other cases tending to the country's charge, there be rather more than under, though at all other times far fewer than due—then are the numbers, which they report to be absent, said to be employed in necessary causes, and they which are present do oftentimes take up money for the diet of them pretended to be absent. And if they be not satisfied with meat and money according to their

outrageous demands, then do they beat their poor horses and their people, ransacking their houses, taking away cattle and goods of all sorts, not leaving so much as the tools and instruments that craftsmen do exercise their occupations withal, nor the garments to their backs, nor clothes to their beds ; so as, at their next meeting places, there are to be found many times such plentiful store of household stuff, or what else they could carry or drive away with them, as at ordinary markets ; which, if the owners did not redeem at the will of the takers, then are they sold and dispersed in such sort as they that owned them shall never come by them again. And if any do withstand or gainsay such their inordinate wills, then they do not only exercise all the cruelty they can against them, in far worse sort than before, in nature of a revenge, so as whosoever resisteth their will shall be sure to have nothing left him, if he can escape with his life.

“ This course of ranging and extorting her silly people is become so common and gainful, as that many other soldiers (as is said) have no other entertainment from their captains ; and many others that are not soldiers, pretending to be of some company or other, have, in like outrageous sort, ranged up and down the country, spoiling and robbing the subjects, as if they were rebels. And most certain it is that the rebels themselves, pretending to be soldiers, and knowing how gainful the course, have often played the like parts, unbeknown to the poor people, who live in such awe of the soldiers, as they dare not resist any that take upon them that profession. So as, of all sides, the poor subjects go so miserably to wreck, as no tongue or pen can at full express.

“ At other times the garrisons oppress the inhabitants without cause, consuming wastefully and needless such provisions as people make for relief of themselves and their families, and in misusing of their persons, in such wise as the poor creatures, being thereby deprived of food and rest, together with the spoils of the rebels, are forced to forsake their houses, which out of hand are plucked down, and the timber thereof burned in garrisons ; which waste is made the more grievous that the inheritors or inhabitants of those waste places are forced to carry the timber of their houses to be burned ; the soldiers leaving no trees, fruitful or otherwise, unspoiled ; the planters and preservers, with heavy hearts, looking on

their long labours and expectations thus defaced and brought to so uncomfortable an event.

“Many companies appointed to lie in garrisons, and victualled with your Highness’s store, when the same is near at an end, and sometimes before, pretending want, and not procuring or having care of supply from your Highness’s victualler, from whom they are to have the same, issue forth into the country where they list, taking beeves or what else they pretend to want, at their own pleasures, far exceeding any ordinary or competent proportion, whereof some part they restore for money, and the rest use as they will, thinking all they do lawful, for they give their tickets, which many times they deny. And if the owners of the goods prefer to stay the same, as some have done, demanding by what authority or warrant their goods are thus violently taken from them, their common answer is that their drum and colours is a sufficient warrant. Then, if the owners seem not to be satisfied, they be assaulted, and as rigorously used as if they were disobedient and disloyal subjects. Upon complaint exhibited unto the state for other the abuses of soldiers, proclamation was sent forth that in their thoroughfare, upon pain of death, they should not exact the country, but take such meat and drink as the inhabitants could afford them, giving ready money or their officers’ tickets for the same; and if they did otherwise, then it should be lawful to sheriffs, justices of peace, and others to apprehend and commit the soldiers so offending to the shire gaol, or failing thereof, to present their names, that they might inflict such punishment on them as their misdemeanour and abuses did merit.\* Which order, as it fell out, procured greater disorder; for the soldiers, hearing thereof, came so strongly to the place where they did lodge, as the country neither durst nor were able to apprehend them, though their outrages were greater than before; so as the same was the destruction of those places altogether. Neither was it possible to present their names, except the inhabitants had special knowledge of them; for the soldiers, to delude the good meaning of the afore-said proclamation, did not only deny the names, but gave out

\* The orders referred to are probably those issued by Sir William Russell on the 18th April, 1596. Carew MSS., Vol. III., p. 174.



themselves to belong unto a contrary captain, whose company was then perhaps in the remote places of the land."\*

If such was the conduct of officers and soldiers in districts immediately subject to the central Government, the inhabitants of remote districts were exposed to greater violence. In 1596, before the commencement of the war, several Irish chiefs furnished to the Government statements of the injuries which they had suffered. In the answers to these the Queen does not deny the facts stated, but replies that they had been done without her authority, or that, if they had been reported to her, she would have seen speedy redress.

Shane M'Brian complains that after his father's death Island Magee, time out of mind his proper inheritance, was taken from him by Lord Essex, and had ever since been kept from him, and that afterwards Sir Henry Bagnal took from him the lands of Mawghryre More, and, finding him in Newry, imprisoned him, and would not deliver him "until he had passed unto him what assurance he would have upon the said barony."†

Maguire stated that the late Lord Deputy and Council had given him special letters of favour that neither the Bingham nor his other borderings should molest him; yet Sir R. Bingham, and the rest of his name in Connaught, came with force and arms into his country, burned it, killed divers women and children, and took

\* Carew MSS., Vol. III., p. 260. The English army was at this period supported in the same manner, and was probably as inefficient, as a Douranee army of the last century, which is thus described by Mr. Foster: "This day a body of Afghan cavalry encamped in the environs of Akorah, and overspread the country like a swarm of locusts, devouring and destroying wherever they went. It seemed as if the land were invaded; they entered in a violent manner every village within their scope, and fed themselves and their horses at the expense of the inhabitants. Such expeditions afford these hungry creatures almost the only means of subsistence; for, when inactive, they are often reduced to such distress by the blind parsimony of their prince, that their horses, arms, and clothes, are sold for a livelihood." The same writer naturally remarks of the Afghan army, that "he felt a sensible disappointment at seeing it composed of a tumultuous body, without order or common discipline." (Kay, "History of the War in Afghanistan, Vol. I., p. 16.)

† Carew MSS., Vol. III., p. 154.

from him 3000 cows, besides 500 garrons and mares, and certain women and prisoners, whom he was fain to ransom; that, although letters were sent by the Lord Deputy and Council to Sir R. Bingham for causing amends to be made, he (Sir R. Bingham) came forthwith again into Fermanagh, at two several times, and preyed Maguire of 6000 cows, besides much murder; that Captain Henshaw, seneschal of Monaghan, came several times with his forces to places in Fermanagh, captured 3000 cows, and killed men, women, and children; but Sir Wm. Fitzwilliam caused no redress thereof; that in the several sheriffships of Sir Henry Duke and Sir E. Harbert, in the county Cavan, they killed and preyed Maguire's tenants, to his and their damages of £3000. Afterwards, the said Lord Deputy being in Monaghan, Maguire obtained faithful oath and promise that he should not be charged with sheriffs or other officers, in regard of his coming to do obedience for one whole year; for which grant he paid, as a bribe to his Lordship and others, 300 beeves, besides 150 beeves to the Marshal (Sir H. Bagnal); but Captain Willis, having Captain Fuller's band and other companies with him, was sent with commission to be sheriff there, and preyed the country. They cut off the head of Edmund M'Hugh M'Guire, and hurled it from place to place as a football. These hard courses compelled him to expulse the said Willis and his companies; whereupon ensued the proclaiming of himself and his followers, and their banishment out of the country."\*

The first complaint of the M'Mahons was—"The said Brian M'Hugh Oge saith that Hugh Roe M'Mahowne, named M'Mahowne by Sir William Fitzwilliam, and so confirmed and allowed to succeed by virtue of his brother's letters patent, and coming into the state upon the word of a nobleman, and the word of Henry More, of Mellifont, decd., was afterwards most unjustly and treacherously executed by the said Sir William at his own house at Monaghan. Which allowance of succession, as this M'Mahowne doth imagine, was granted him, the said Hugh, purposely to draw an interest unto him and his heirs, contrary to the custom of the country, and then by his execution to draw the country into her Majesty's hands, as by the sequel sheweth. After whose execution a garrison was

\* Carew MSS., Vol. III., p. 155.

placed in Monaghan, the name of M'Mahowne extinguished, and the substance of the country divided by the said Sir W. Fitzwilliam between Sir H. Bagnall, Baron Elliott, Mr. Solicitor (Wilbraham), Captain Henshawe, Captain Willis, the Parson O'Connellan, Hugh Strowbridge, Thomas Asshe, Charles Fleminge, and divers other strangers, and so the native country people for the most part disinherited; and some of those that had portions allotted to them were afterwards slain and murdered—namely, Patk. M'Collo M'Bryen, coming upon safe conduct to the Parson O'Connellan, then justice of the peace, and chief man in authority for her Majesty in that county, was intercepted by an ambush, appointed by the said Parson and Captain Willis, and there slain.”\*

The chief who had most reason to complain was Hugh O'Donnell, of Tyrconnell. So long as The O'Neill was an object of apprehension to the English Government, the O'Donnells, as the old hereditary enemies of The O'Neill, were supported and flattered by successive Deputies. It had been by them, rather than by the Queen's forces, that Shane O'Neill had been twice defeated, and ultimately driven out of Tyrone. Upon the fall of Shane O'Neill, the position of the O'Donnells was altogether changed. They, in their turn, became subject to the suspicions of the Government, and the usual policy was practised against them, from which, in consequence of their peculiar position, they had hitherto been exempted.

\* Carew MSS., Vol. III., p. 156. That the complaints of the Irish were fully justified, Elizabeth herself admits: “Considering the monstrous accusations brought against our ministers that have lived amongst this people, we cannot turn our face from their complaints. To begin with Connaught: it troubles us to find such slackness in the trial of the enormities complained of in Bingham's Government; for the people must needs think our hearts alienated from doing them justice; and you have not given us thorough information. Select fit Commissioners to be sent to Connaught; and let it be known to them that only their fleeing from justice to disorder, and not coming in to make complaint to our ministers, was the cause of this protraction. If Bingham appear guilty, he shall be removed; but we must not condemn a governor unheard, and without good proof.”—Carew MSS., Vol. III., p. 176. It does not appear that Bingham, although removed from Connaught, was ever tried; on the contrary, he was in England in 1598, when he was appointed Marshal of the realm, and returned to Ireland with Her Majesty's “favour and gracious opinion.”—Ibid., p. 283.



Whether The O'Donnell had refused to receive an English sheriff into Donegal, or the Government were apprehensive of the talent and energy of his son Hugh, the then Deputy, Sir J. Perrot, resolved to capture the chief or his son by stratagem. Cox details the event with great *naïveté*:—"Wherefore the Deputy sent one Skipper, a merchant, with a ship of warre to Donegal, with directions if O'Neill (query O'Donnell) or his son should come aboard, to fuddle them, and clap them under hatches, and bring them to Dublin; which was diligently executed, and O'Donnell's son brought prisoner to Dublin."\* Thus this young chief of a tribe always devoted to the English interest was summarily carried off without any specific charge whatsoever.

On his arrival, "the Lord Justice and the Council were delighted at his having come, altho' indeed it was not for love of him; and they commanded to have him brought before them. Having been according brought, they discoursed and conversed with him, scrutinising and eliciting all the knowledge of him they could for a long time; then at length, however, they ordered him to be put in a strong stone castle which was in the city, where great numbers of the noble sons of the Milesians were in chains and captivity, as well as some of the Fionn Ghaill (Normans or English), whose chief subject of conversation, both by day and night, was complaining to each other of their injuries and troubles, and treating of the persecution carried on against the noble and high-born sons of Ireland in general."†

For five years O'Donnell was confined in Dublin; but in 1592 he succeeded in escaping from prison, and regaining his native district. This story, as detailed by the Four Masters, who for this period may be considered contemporary writers, is one of those few narratives which enable us to gain an insight into the feelings of the native Irish:—

"Hugh remained in imprisonment and in chains in Dublin, after his former escape, till the winter of this year (1592). He and his fellow-prisoners, Henry and Art, the sons of O'Neill, *i.e.*, John, having been together in the early part of the night, got an oppor-

\* Cox, Part I., p. 396.

† Four Masters, p. 564.

tunity of the guards before they had been brought to the dining-room, and, having taken off their fetters, they afterwards went to the privy, having with them a very long rope, by which the fugitives descended until they reached the deep trench which surrounded the castle; they afterwards gained the opposite side, and mounted the side of the trench. There was a trusty servant who was in the habit of visiting them, to whom they had disclosed their intentions, and he met them at the time to direct them. They then proceeded thro' the streets of the city, and the gates of the city were open. They afterwards passed through intricate and difficult places, until they arrived on the open plain of Slieve Roe (the Red Mountain, on the borders of Dublin and Wicklow). The darkness of the night, and the swiftness of their flight, through dread of being pursued, separated the eldest from the others, namely, Henry O'Neill. However, they continued their progress, led on by their own man. The night was dropping snow, so that it was not easy for them to walk; for they were without outside coats, having left their upper garments in the sewer through which they had come. Art became more exhausted than Hugh; for it was a long time since he had been incarcerated. When Hugh perceived that Art was exhausted, he requested him to put one hand on his shoulder, and the other upon the shoulder of the servant; and they proceeded in that manner until they crossed the Red Mountain. After this they became wearied, and being unable to bring Art further, stopped under the shelter of a projecting rock. They sent the servant with word to Glenmalure, where dwelt Feacha M'Hugh (O'Byrne), who was then at war with the English. That Glen was an impregnable stronghold, and a great number of the prisoners of Dublin, when they made their escape, were in the habit of proceeding to that glen, for they considered themselves safe there until they turned to their countries. Fiacha immediately summoned a number of his friends, whom he could rely on, to go to them, one with food, another with ale and mead. They accordingly proceeded, and arrived at the place where the men were. Having been completely covered with the snow, they found no life in their members, but they were as if dead. They took them up from where they lay, and requested them to take some of the mead and ale; but they were not able to do so, so that Art at length died, and was buried

in that place. As for Hugh, he afterwards took some of the mead, and his faculties were restored after drinking it, except the use of his feet alone. The men then carried him to the glen which we have mentioned; and he remained in a private house, under care, until a messenger came privately to inquire after him from his brother-in-law, the Earl O'Neill. After the messenger had come to him, he prepared to depart; and it was difficult for him to go on that journey, for his feet could not be cured; so that another person should lift him on his horse, and take him between his hands again when alighting.

“ Fiacha sent a troop of horse with him by night until he should cross the river Liffey, to defend him against the guards who were looking out for him; for the English of Dublin had received intelligence that Hugh was in Glenmalure, so that it was therefore they placed sentinels on the shallow fords of the river to prevent Hugh and the preservers, who had fled along with him, from crossing thence into the province of Ulster. The men who were along with Hugh were obliged to cross a difficult deep ford on the river Liffey, near the city of Dublin, which they passed unnoticed by the English, until they arrived on the plain of the fortress. He was accompanied by the persons who had on a former occasion forsaken him after his first escape, Felem O'Toole and his brother, in conjunction with the troops who were escorting him to that place; and they ratified their good faith and friendship with each other. After bidding him farewell, and giving him their blessing, they then parted with him there. As to Hugh O'Donnell, he had none along with him but the one young man of the people of Hugh O'Neill, who had gone for him to the celebrated glen, and who spoke the language of the foreigners (English), and who was also in the habit of accompanying the Earl, that is, Hugh O'Neill, whenever he went among the English, so that he knew, and was familiar with every place through which they passed. They proceed on their two very swift steeds along the direct course of the roads of Meath, until they arrived on the banks of the Boyne before morning, a short distance to the west of Drogheda; but they were in dread to go to that city, so that what they did was to go along the bank of the river to a place where a poor fisherman usually waited, and who had a small ferrying corach (small boat). Hugh



having gone into the corach, the ferryman left him on the opposite bank, after having given him full payment; Hugh's servant having returned, took the horses with him through the city, and brought them to Hugh on the other side of the river. They then mounted their horses and proceeded until they were two miles from the river, where they saw a thick bushy grove before them, in the way which they went, surrounded by a very great foss, as if it were a strongly fenced garden; there was a fine residence belonging to an excellent gentleman of the English near the wood, and he was a trusty friend of Hugh O'Neill's.\* When they had arrived at the ramparts, they left their horses and went into the wood within the foss, for Hugh's faithful guide was well acquainted with that place; having left Hugh there, he went into the fortress, and was well received. Having obtained a private apartment for Hugh O'Donnell, he brought him with him, and he was served and entertained to his satisfaction. They remained there until the night of the following day, and their horses having been got ready for them in the beginning of the night, they proceeded across Sleabh Breagh, and through Machaire Conaill (both in the county of Louth), until they arrived at Traigh-Baile-mic-Buain (Dundalk), before morning; as the gates of the town were opened in the morning early, they resolved to pass through it, and they proceeded through it on their horses until they arrived at the other side; and they were cheerful and rejoiced for having got over all the dangers, which had laid before them until then. They then proceeded to the Fiodh (the wood), where lived Turlough, the son of Henry, son of Felim Roe O'Neill, to rest themselves, and then they were secure, for Turlough was a friend and connexion of his, and he and the Earl O'Neill were born of the same mother; they remained there until the following day, and then proceeded across Slieve Fuaid (the Few's mountains in Armagh), and arrived at Armagh, where they remained privately that night. They went on the following day to Dungannon, where the Earl, Hugh O'Neill, lived, and he was rejoiced at their arrival, and they were led to a retired apartment without the knowledge of any, excepting a few of his trusty people, who were attending them, and Hugh remained there for the space

\* This is conjectured by O'Donovan to have been Mellifont. *Sed quære.*

of four nights, recovering himself from the fatigue of his journey and troubles. After which he prepared to depart, and took leave of the Earl, who sent a troop of horse with him, until he arrived at the eastern side of Lough Erne. The lord of the country was a friend of his, and a kinsman by the mother's side—namely, Hugh Maguire, who was rejoiced at his coming, and a boat having been brought to them, into which they went, they rowed from thence until they arrived at a narrow creek of the lake, where they landed; a number of his faithful people having gone to meet him, they conveyed him to the Castle of Ath-Seanaigh (Ballyshannon), in which were the guards of O'Donnell, his father.”\*

The exasperation of the northern chiefs against the Government may be measured by the fact, that at length they became willing to forego their traditional feuds, and combine against the common enemy. All now that was wanting for an almost national rising was a leader of ability, and such was found in Hugh O'Neill, Earl of Tyrone.

Hugh O'Neill was the second son of Matthew, the first Baron of Dungannon, the reputed son of Con O'Neill, the first Earl of Tyrone. If the statements as to the paternity of Matthew, Baron of Dungannon, be correct—and there is not sufficient reason to doubt them—neither he nor his son were O'Neills at all, and their only connexion with the family was the intrigue of Con O'Neill with the mother of Matthew, and the limitation of the Earldom of Tyrone to him in remainder after the death of Con. The Baron of Dungannon and his sons thus became the English claimants for the principality of Ulster, and upon every quarrel with the elected chief were put forward by the Government as the rightful lords of Tyrone, in virtue of the surrender and re-grant of these lands to Con O'Neill by Henry VIII.; but whenever it seemed more politic to come to terms with the O'Neill *de facto* (and *de jure* according to Celtic ideas), the claims of this family were disregarded, and the bastardy of the first Baron officially admitted.

The Baron of Dungannon and his sons were used by the English against Tyrone exactly as James II. and his sons were used by Louis XIV. against England.

\* Four Masters, p. 574.

The first Baron was slain by Shane O'Neill in 1558, and his eldest son by Turlough during Shane's visit to London. Hugh, the third Baron Dungannon, was then young, and his claims were disregarded for many years. In the meanwhile he was educated among the English; brought over to court by Sidney, given a troop of horse in the Queen's service, and, to all outward appearance, had become an Englishman. He served in the English army in the Irish wars, co-operated with Essex in the settlement of Antrim and the Ulster war, and is perpetually commended for his zeal and loyalty in the Queen's service. As against Turlough Luineach, if he became formidable, Hugh might be useful, as his father had been against Shane, and accordingly he was quartered with his troop on the borders of Ulster, and permitted, perhaps encouraged, to quarrel with and give Turlough all the annoyance in his power. Disorders of this kind had been going on in 1583, for on the 23rd of October in that year "articles were laid down by Her Majesty's Commissioners for Ulster, ordered by the assent and consent of Turlough Lenouge, O'Donel, and the Baron of Dungannon," by which the truce then made between them was extended until the March following.\*

In 1584 the Baron was put in possession of the south-eastern portion of the district then known as Tyrone, and Turlough was restricted to the north-western, having his residence at Strabane. Henceforward the Baron carried on continual hostilities against Turlough; in this he was aided by the English Government, which regarded him not as a mere Irishman struggling for the chieftaincy of the district, but rather as an Englishman who had had the misfortune to have been born in Ireland, and whose success was equivalent to that of the English Government itself. He lamented to the Queen the unwillingness of his countrymen to order and civility, and their barbarous preference for Celtic manners, pleaded the necessity of attaching the natives to the English Government, and requested that, with reference to his own district, effectual steps should be taken to suppress the name of The O'Neill, as the first step of the introduction of English laws and manners into the northern province.

\* Carew MSS., Vol. II., p. 366.



In 1587 the Queen granted to him, by patent, the Earldom of Tyrone, and the inheritance annexed, without any reservation. It was, however, provided that the bounds of Tyrone should be explicitly defined, 240 acres should be reserved upon the Blackwater for a fort, and that the Earl should claim no authority over his neighbours, formerly the vassals of his house.

In May, 1590, he made certain offers to the Privy Council as to the affairs of Ulster, "that (*inter alia*) his bond and sureties should stand for renouncing the name and title of O'Neill, for he well knew that it was treason to challenge it;" he stated "that he is desirous to have his country made shire ground, and doth think it consistent to have Tyrlough's country, and so much of his own country called Tyrone as do lie already bounded betwixt the Blackwater and the river of Fyne and Loughfoyle to be one county; and the rest, from the Blackwater to the Roche, containing O'Hanlon's country (if it be not already reduced to shire ground) to be another county." He was contented to have his country under composition, and to suffer them (his tenants) to enjoy their lands for terms certain upon such rents and other compositions as might be agreed upon, and not to take any bonnaught, or lay other charges upon them, except with consent of the country in times of great and sudden danger, to be invaded by Scots and others, his bad neighbours, and yet to make the Governor for the time being and his Council privy thereunto; also to have his country under composition towards Her Majesty's charges, some regard being had of their poverty, the waste of the country, &c.; he would not execute martial law, but join with such officers as might be appointed for the execution and suppression of malefactors; he was always willing to serve with such horsemen as he received entertainment for by Her Majesty's bounty, and further to yield to "any number of rising out" thought convenient by the Government, either at London or Dublin; he would not meddle with any of the Archbishop of Armagh's (John Garvey) lands, or impose any charge upon them; *neither would he receive or maintain any Popish priest, monk, or friar, or any proclaimed traitor*; his people were to use English apparel; a gaol should be built at Dungannon; finally he trusted that his neighbours should be bound to observe like order.\*

\* Carew MSS., Vol. III., p. 33.

These offers of the Earl were embodied in Articles of the 7th of June, 1590, agreed to by him, which upon the whole adopt his proposals, and terminate thus: "In consideration that the Earl of Tyrone hath promised on his honour to observe and perform all these Articles, &c.; that Sir Turlough Luineach shall put in good pledges both for his loyalty to Her Majesty, and also to keep the peace with the Earl and all his country; that all other the Earl's neighbours bordering upon Tyrone may be wrought to this course prescribed to the Earl, to begin at one time, least Tyrone being brought under law may be spoiled or wasted by the lawless neighbours thereof."

These Articles were followed by still more active hostilities by the Earl against Turlough, in which the Earl was quite able to maintain himself. On the 18th June, 1591, the Deputy, Fitzwilliam, writes: "I and my Council, being now but six, must be the last of this month (at Dundalk) for the ending of a great controversy between the Earl and Sir Turlough O'Neale, by reason of a fray fallen between them, in which the dutiful old knight, Sir Turlough O'Neale, was shot through the shoulder with a bullet, and stricken with a horseman's staff in the small of the back—two grievous wounds; but (God I thank) will recover. I sent him a surgeon with a great deal of stuff for his dressing." Of course the Earl was in the right, and the Deputy strove to make what advantage they could of the difference. "In the quarrel between the Earl of Tyrone and Sir Turlough O'Neill it was complained that the Earl was altogether in fault, but upon examination (having them both here and at the Newry), it fell out that Sir Tir was therein far to blame. I and the Council have so ended these causes as they are both returned home with good contentment, and have given both their consents to have Tirone reduced to shire ground, and to accept of a sheriff."\*

Nothing could have suited the views of the Government more than this state of things in Ulster. If the Earl succeeded, he should, as he had himself offered, introduce into Ulster all the improvements of laws, manners, and attire, which the Crown had been unable to compel the meanest chiefs to adopt; the Pale would then

\* Carew MSS., Vol. III., p. 55.

extend from Dublin to the most northern promontory. When the greatest representative of the ancient royal chiefs had thus frankly accepted his position as an English subject, could the feeble chiefs of less noble tribes hesitate to follow his example? On the other hand, if he failed to secure the entire district of Tyrone, he meanwhile, at least, prevented any other O'Neill obtaining the headship of the tribe, and reviving its former pretensions; if he perished, it was no loss in men or money to the English Government, and pretenders to the chieftaincy should be had in any number.

"The dutiful old knight" at length became tired of the contest, and by deed of the 28th of June, 1593, being secured certain property and income for his life, agreed that "the Earl and his heirs should hold the territory and lands of Tyrone against Sir Turlough and his heirs, discharged of all such title and demand Sir Turlough claimeth to have in the same."\*

This surrender entirely changed the position of the Earl with regard to the English Government; he did not or could not proceed with the English reforms and improvements which he had proposed. He had probably made these promises with as much sincerity as the English patentees had entered into covenants which they never fulfilled. Had he been in earnest, it is incredible that he could have carried them out; his first step towards Anglicising Ulster would have destroyed his own popularity, and raised up rivals for the chieftaincy. The English officials began to find out how dangerous a game they had played in supporting Hugh O'Neill. He might have been true to his offers, but, if so, he must have been so bewitched with English fashions and ideas, or so exceptionally faithful to his promises, as to imperil his own position and power; and endanger his life itself, that he might reduce to slavish obedience to the Queen of England a principality which he could himself have governed with regal power. But if he—this pretended bastard O'Neill, really a descendant of the Dundalk smith, for such the English Queen began to find out he had been after all—should be placed upon the stone seat of the princes of Tyrone at Tulloghoge, and play the part of a genuine O'Neill, what might not be the consequences? Shane O'Neill, a mere Celt, and an "adul-

\* Carew MSS., Vol. III., p. 75.



terous; drunken scoundrel," without a tincture of letters or civilisation, had taxed the perseverance of the English Government, and cost them more lives and money than they were willing to acknowledge. The great abilities of the Earl of Tyrone none attempted to deny. He was distinguished as a soldier, had been successful as a courtier, was acquainted with all the secrets of the Irish Executive, knew their strength and weakness; as an educated Englishman, and not a mere local chief, was well aware of the complications of continental politics. How many years of toil, how many lives, how much treasure might not such a man cost England ere he was expelled from the province which, after years of persevering efforts, he had at length acquired!

The Earl was soon involved in disputes and difficulties with the Lord Deputy and Sir Henry Bagnall, his brother-in-law, who, having neglected to pay to the Earl the legacy left to the Countess by her father, naturally became an active political enemy.

The Queen was evidently puzzled how to treat the Earl, who, knowing that in his position he could not be safe, remained away from the Council. In her instructions of the 3rd of May, 1594, to the Lord Deputy Russell, and having referred to letters of Tyrone, "exhibiting in writing sundry griefs and wrongs done to him by the then Deputy and Marshal, and yielding his oath and writing to continue a loyal and obedient servant," she writes: "Thereupon we commanded our Commissioners to let him understand that we were resolved to revoke Sir Wm. Fitzwilliam from the office, and that the Marshal should nowise attempt anything against the Earl and his people. Should these measures fail to bring Ulster to good obedience, you are to use your authority with our Council, and the aid of the forces, to procure redress; and we will send you some augmentation of forces."\*

None anticipated that Tyrone would appear in Dublin; but he suddenly arrived, as if acting upon the Queen's letters, and on the 13th of August, 1594, handed a submission to the new Lord Deputy. In this document he acknowledged his fault in absenting himself from the Council, but attributed it to his apprehension of violence from the late Lord Deputy, and then proceeded in the high-

\* Carew MSS., Vol. III., p. 90.

flown style of the period :—" Her Majesty's displeasure has been my greatest grief ; for she it was who advanced me to high title and great living ; and I know that Her Majesty, who by grace has advanced me, by force may pluck me down. How can it be then that I should be so void of reason as to work my own ruin ? I confess I am not clear of offence ; but I have done what I have done to save my life ; nevertheless I am sorry for my fault. I here offer my services, either in relieving the distressed ward at Iniskyllen, expulsing the Scots, or doing anything else."\* Several questions were put to him by the Council, which he answered in the most satisfactory manner ; whereupon the Council, although Sir H. Bagnall presented a series of charges against the Earl, probably not knowing what course to pursue, resolved " that, for weighty considerations concerning Her Majesty's service, the Earl should not be charged with the said articles at that time, but to be deferred to a more fit time."†

Her Majesty was most indignant that the Deputy had acted honestly upon his instructions, and let slip such an opportunity for a treacherous *coup d'état*. " We can no longer forbear to let you know," she writes, on the 31st of October, " what great mischief the remiss and weak proceedings of late have wrought in that kingdom. Since first the Earl of Tyrone began to affect superiority over such principal persons as (before we advanced him) daily bearded him, we did ever lay before you seriously the prevention of such inconveniences. It is gross to find such a man, so laid open to you all, and made suspicious by his own actions, had been suffered to grow to this head by your receiving his excuses and subterfuges. When he came to the late Deputy at Dublin, and was substantially charged, he was dismissed. When he came to Dundalk to you, the Chancellor, and the Chief Justice, where many things were apparently proved, he was discharged with triumph to his own partakers, and with a general discouragement to all those that (for our service) had opposed themselves against him. For amends whereof, when voluntarily he came to you, the Deputy, it was overruled by you, the Council, to dismiss him, though dangerous accusations were offered against him. This was as foul an oversight as ever was

\* Carew MSS., Vol. III., p. 95.

† Ibid, p. 99.

committed in that kingdom. The natures of treasons are secret, and not to be proved, for the most part, but by presumptions. He coming in of purpose to offer personal purgation, with great reason you might have stayed him till proofs had been made, or kept him in suspense upon his trial until you had received our pleasure. You alleged that you thought it perilous; but he or his could not have any way prejudiced your or our estate; and none of his durst have stirred while he was in restraint. It was great oversight in you of the Council there, when the Earl was first so probably charged, to dismiss him so slenderly upon his denials. Our commandments to you *in private* for his stay ought otherwise have guided you.”\*

It was now inevitable that the Earl of Tyrone, the lion cub whom the English had reared, should go into rebellion. The question here arises, had he anticipated this termination of his career? was he, while professing the utmost loyalty to the Queen, a crafty traitor (or a patriot) all through, as English writers surmise? An attentive study of his life and letters (or rather official documents), leads to the opposite conclusion. It is true that, in 1592, he was privy to O'Donnell's escape, probably in communication with Fiacha M'Hugh O'Byrne and other rebels, and ingeniously strengthening himself against eventualities; but he was probably much more thoroughly Anglicised than Irish writers admit. He was, by education, habits, and interest, English; he had fought against his own tribe in Ulster, and distinguished himself in the war against Desmond; he had seen the Irish frequently, almost invariably, defeated by English troops; he had learned how uncertain and untrustworthy were the promises and aid of Spain; he was well acquainted with the power and wealth of England, and probably over-estimated it, as he showed by his negotiations and reluctance to commence the war; but he had the fixed idea of regaining possession of Tyrone, which he may have believed to have been his lawful inheritance. He succeeded in his object, and had to accept the consequences of his success. His character confirms this view of his career; in his course of conduct he was essentially not a Celt; he possessed none of the enthusiasm or

\* Carew MSS., Vol. III., p. 9.



instability of his nation ; he did not exhibit the reckless audacity, self-confidence, vanity, and uncivilised craft of Shane ; his composed and polite manners, when treating with the English Commissioners, were noticed in contradistinction to the violent and excited expressions of his chiefs. He never committed himself by any hasty or ill-considered step, yet he was able, when the occasion required it—as in his attempt to relieve Kinsale—to put his whole fortune at hazard. He was led astray by neither patriotism nor enthusiasm, as his conduct proved repeatedly ; he perfectly knew the measure of his power, and patient, cool, and conciliatory, was admirably adapted to play a losing game ; and, when he had lost his stake, he exhibited the very un-Irish quality of appreciating existing facts, and having failed in his attempt to make himself not merely The O'Neill, but the ruler of Ireland, acquiesced in his position, and was willing to make the best of circumstances by sinking back into the position of an English nobleman. He was not a great (but almost a great) man ; a most able adventurer, whose reputation has been dwarfed by the small theatre in which he played his part ; yet, after every allowance, he was undoubtedly the ablest man whom the Celtic race since the arrival of the English has produced.

The consequence of his going into rebellion was anxiously considered by the English statesmen of the time :\* “ If his purpose is to rebel,” says a State paper, “ it must proceed either with a combination from Spain (which may be suspected as well in regard that he is of the Romish Church, as also heretofore, for *viva voce* by Hugh Gavelock, one of Shane O'Neill's sons, to his face he hath been accused to have a Spanish heart), or else an ancient Irish practice to hinder the proceeding of English justice, which of late hath crept further into Ulster than accustomed. His rebellion will be the more dangerous, and cost the Queen more crowns than any that have foregone him since Her Majesty's reign ;—for, educated, more disciplined, and naturally valiant, he is worthily reputed the best man of war of his nation. Most of his followers are well-trained soldiers, using our weapons ;† and he is the greatest man

\* Carew MSS., Vol. III., p. 99.

† This is confirmed by the picture plan of the Battle of Beal-an-Athabuidhe, preserved among other documents of the period in the Library of

of territory and revenue within that kingdom, and is absolute commander of the North of Ireland. If he have plotted with Spain to pull the crown from the Queen's head—for combining with foreign power has no other pretence—then assuredly Scotland is made a party to assist them; and Sir William Stanley, and other English and Irish traitors, are like to be employed in the action. The way for them most to annoy us is to put into St. George's Channel, and not to let fall an anchor until they come to the entrance of the haven of Dublin, where they may unship their men, and ride safely in all weathers. The lesser ships may safely pass the bar of Dublin, and land where they list. But if his, the Earl's, purpose reach no farther than ordinary rebellions in Ireland, which ever more arise either upon dislike of the person of some one that doth govern and administer justice, or else to justice itself, with both the which it appeareth that this Earl doth find himself grieved, then I dare the more boldly say my opinion, holding his rebellion not so dangerous. If the Queen's honour may be saved, without blemish, like unto an unspotted virgin herself, all means should be

T.C.D. In this picture, the infantry of O'Neill appear to consist of harquebusiers supported by masses of pikemen; very few gallowglasses are represented; indeed, it is possible that the swordsmen among the "shot" are intended for officers. The cavalry are armed exactly as the English; nor is there any difference between the armies in equipment, except that the English are supplied, and the Irish wholly unprovided with artillery.

[The Irish foot-soldiers during the fifteenth and sixteenth centuries were of two kinds, called by the English Gallowglasses and Kerne.

The Gallowglasses (*Gall-oglach*, foreign soldier) were hired mercenaries belonging to other clans, usually Ulstermen in the south of Ireland, and Redshank Scots in Ulster. They were closely analogous in position to the "housecarls" of the English Kings and great nobles from the time of Canute to the Norman Conquest. They wore steel cap and mail shirt, and bore the heavy Danish axe and long two-handed sword.

The Kerne (*Cethearnach*, fighting men, the same word as the Scotch *Cateran*) were the footmen furnished by the chief's own tribe. They seem to have worn no, or hardly any, defensive armour, and were armed with javelins or short pikes, light axes wielded by one hand only, and the long knife or skene. Both Gallowglasses and Kerne are represented in a drawing by Albert Dürer, at Vienna, published in *Proc. R. Hist. and Arch. Soc.*, 4th Ser., Vol. IV., p. 297, and are described in Ware, *Ant. Hib.*, Chap. XII.]

used to draw this Earl into his former obedience, his grief not being very difficult to redress. He has ever more had a thirsty desire to be called O'Neill—a name more in price to him than to be entitled Cæsar. The power that this Earl can make is about 6000 or 7000 footmen, and better than 1000 horse. To encounter this force, the Queen (besides the forces now in garrison) hath need to erect into bands 2500 footmen and 500 horsemen. When the Deputy shall make his general hostings to bring him into the enemy's country, he may command the established garrisons of Ulster to come to him."\*

The conduct of Hugh towards the other Irish chiefs was very different from that adopted by Shane; he did not attempt to enforce the feudal pretensions of his family, or endeavour to reduce the power of the rival house of O'Donnell; on the contrary, he made himself the head of a confederacy of those who had suffered wrongs at the hands of the English Government; he had bound to himself Hugh O'Donnell by a personal friendship, and, although not holding any ostensible office, contrived to exercise a complete command over the Ulster lords, and a directing influence over the chiefs who, by his assistance, rose in rebellion in the other provinces. In November, 1594, he had with him 1140 foot, "the chiefest force of his footmen, trained after the English manner, having many pecks among them, so as all of them were not shot," and 540 horse, besides the forces of O'Donnell, M'Mahon, and those of Clandeboy.† The entire force of men which the Ulster chiefs could put in the field was estimated at 15,130 foot and 2238 horse;‡ but the vast proportion of these were irregular troops, and no large force could be kept together for any length of time.

O'Neill carefully avoided any general action, harassing the English forces which attempted to penetrate Ulster, exciting risings in the other provinces, and protracting the war, in the hope of substantial assistance from Spain, or that Elizabeth would become disgusted with the great expense of the war, or be obliged by other complications at home or abroad to come to terms with the insurgents.

The entire English regular force in Ireland in 1595, as appears

\* Carew MSS., Vol. III., p. 105.

† Ibid., p. 101.

‡ Ibid., p. 73.



by the muster master's return of that year, was 657 horse and 4040 foot,\* which must be reduced by the deficiencies in the companies occasioned by the captains systematically omitting to report losses, and drawing pay for the nominal strength under their command. The levies of the Pale make no figure in the war, and were useful only for defensive purposes; but, on the other hand, the Earl of Ormond and many of the Munster chiefs afforded the Government considerable support.

On the 24th of May, an English force relieved the fort of Monaghan, then besieged and blockaded by Maguire and M'Mahon; but on their return found that the Earl had stopped the passes at Newry, and were thus forced to return at Dundalk, having expended their ammunition, and being unable to communicate with Dublin except by sea.†

On the 28th of June a proclamation was issued against O'Neill and the confederates, in which the Earl was reproached with the bastardy of his father, whose legitimacy the English Government had maintained during the lifetime of Shane O'Neill.‡

On the 18th of June, the Deputy and Sir J. Norris invaded Ulster in force, upon whose advance the Earl determined neither to be drawn into an action nor to waste his forces in defending unnecessary forts; he destroyed his castle of Dungannon, and confined himself to continual skirmishing with the enemy. The army returned to Dundalk without having effected anything; and, on the 18th of July, a council was held at that town; when the Deputy, "from that time forward, rendered the prosecution of the war absolutely to Sir John Norris according to Her Majesty's commission, with the determination wholly to attend to the defence of the Pale, while Sir Richard Bingham should attend to Connaught, 1000 foot and 100 horse being daily expected out of England. Wherewith the Council ended, the army dissolved, and every man returned well wearied towards his own dwelling, that had any."§

The Queen, being disgusted with the course the war was taking, was now anxious to open negotiations, and O'Neill was anxious to arrange matters on reasonable terms, or if that could not be done,

\* Carew MSS., Vol. III., p. 127.

† Tucker's Report, *ibid.*, p. 109.

‡ Tucker's Report, *Ibid.*, p. 111.

§ *Ibid.*, p. 118.

to waste as much time as possible. The object of the Government was to induce the various chiefs to negotiate separately, and thus, if possible, to break up the confederacy; but, on the other hand, O'Neill was resolved that the confederates should be represented by himself alone, and all should be included in the one arrangement. Formally the English succeeded, for different demands were sent in by the several chiefs, but practically the Earl carried his point, for all the demands were evidently drawn up by preconcerted arrangement, and all the communications appear to have been made through him.

The Queen's instructions show that, although using the ordinary high-sounding phrases of the period, she had begun to see how formidable a task lay before her.

On the 12th September the English Privy Council had written "that the Earl had presumed to make himself the advocate for the rest, especially O'Donnell, &c.; but Her Majesty would have him simply implore mercy for himself, divided from all show of greatness in dominion over her subjects.—Direct Sir John Norris to let the traitor find that what he will do most quickly, must be offered by him apart, in which kind Her Majesty will not refuse to hear the others severally by themselves, upon free and absolute submission. That vile and base traitor was raised out of the dust by herself. If he will singly and simply receive pardon of his life, Her Majesty is content that you should pardon him with the conditions enclosed." These conditions were, he should be assured of pardon for his life on submission; he was to reveal all past and abjure future foreign practices; he was not to make suit for pardon of the other rebels; Her Majesty was to treat with the rebels singly and simply without any combination; as to his future living he was to trust to Her Majesty's grace. This seemed very imperious and confident. At the end of the letter, however, occurs the sentence—"He (Sir J. Norris) did set down a chargeable project how the war should be prosecuted, and that only for Ulster."\* But on the 8th of January, 1596, the Queen wrote to the Deputy and Council:—"We see by your collections, that his rebellion has been favoured throughout the kingdom, and therefore can hardly

\* Carew MSS., Vol. III., p. 121.

be extinguished without great effusion of blood. If you find that the principal ringleaders will not submit unless the rest be pardoned, you may grant to Tyrone, O'Donnell, and all the rest, named in your letters, our free pardon, upon condition that they shall all come in and submit themselves. We leave their lands and goods to your discretion. For the speedy conclusion of a general quiet, you may ratify whatever may soonest effect the same. Make all the conditions as honourable to us as you may, and especially that our revenue in Monaghan be still answered to us. Spend no useless time in staying for directions from us. Discover whether this late protraction of Tyrone and O'Donnell's coming in were only out of desire to draw this remission to their companions, or whether it be a plot to temporize until they receive foreign aid. Delay is dangerous."\*

As the Queen suspected, O'Neill was in communication with Spain. On the 17th September, 1595, he had written that their only hope of re-establishing the Catholic religion lay with him; now or never the Church should be succoured; that 2000 or 3000 troops might be sent before the feast of St. Philip and St. James; with such aid they hoped to restore the faith of the Church, and to secure him a kingdom.†

To Don Carolo he wrote that, with the aid of 3000 soldiers, the faith might be established within one year in Ireland, the heretics would disappear, and no other sovereign would be recognised save the King Catholic.‡

Both the Queen and O'Neill overrated the power of Spain to interfere in Ireland. The former greatness of Spain, the possession of the Indies, its fabulous wealth, and ardent Catholicity, still blinded men as to its loss of all real power and energy. They did not yet understand that this great Empire, so vast, and with such natural resources, was in a state of insolvency, and raising money by the meanest steps; and that even if able to lend assistance to the insurgents, it had the Low Countries and the French war on hands, and had never postponed secular advantages to the interest of the faith; and that prompt proceedings could not be anticipated

\* Carew MSS., Vol. III., p. 131. † Ibid., p. 122.

[‡ Ibid., p. 122. Surname of "Don Carolo" not given, and no clue as to who he was.]



in a country where action was hampered by endless procrastination and formalities. The Spanish succours, except some supplies of arms and money, did not arrive until 23rd September, 1601, although Philip had promised to send assistance as far back as the 22nd of January, 1596.

An armistice having been arranged on the 13th of January, two Commissioners on the part of the Government left Dublin to confer with O'Neill. The reports furnished from day to day to the Council at Dublin, and the letters which passed between the parties, give a lively picture of The O'Neill and his confederates, and fully disclose the objects of the rising:—"On the 17th the Earl announced the arrival of O'Donnell and most of the Irish chieftains, and prayed the Commissioners to come to a place called the Narrow Acre, while he came to a place adjoining, called the Black Staff. This they refused to do, and commanded him to come to Dundalk under Her Majesty's protection; but Tyrone made answer that he would not come to Dundalk, but would come to any other indifferent place."

"On the 19th the Commissioners wrote to the Earl, reproving his fears, and requesting him to set down in writing his offers and demands. If these should be acceptable to Her Majesty, they assured him, of her gracious pardon for his life, lands, and goods, and also for the rest of his confederates."

"The next day the Commissioners, having in their company the sheriff, Sir H. Duke, and Gerald Moore—in all, five—met with Tyrone and O'Donnell a mile out of Dundalk, none of either side having any other weapons than their swords. The forces of either side stood a quarter of a mile distant from them; and while they parlied, which was on horseback, two horsemen of the Commissioners stood firm in the midway between the Earl's troops and them, and likewise two horsemen of the Earl's was placed between them and Her Majesty's forces. These scout officers were to give warning if any treacherous attempt were made on either side. The treaty continued three hours. The Earl and O'Donnell stood still in their demands, and the Commissioners upon the negative; and they departed without any important conclusion, agreeing to meet at the same place the day following."\*

\* Carew MSS., Vol. III., p. 132.

One of the Commissioners succeeded to "parling" with O'Donnell separately; "but O'Donnell was most resolute."\*

At the second meeting, the Commissioners found them as men exceeding fearful, continually gazing about, their spies riding near them, and less attentive to their speeches than at the first. "'Then,' said we, 'what cause had you, O'Donnell, to enter into rebellion, the rather Her Majesty making account that you and ancestors had been always loyal?' Unto which he said he had been unjustly long imprisoned. Also he said that Willis, with great strength, sought not only to invade Fermanagh, Maguire's country, being his next neighbour, which warned him that the like would happen unto himself, but also came upon the borders of his own country. Also, he feared the great extortion of sheriffs and officers if his country should be under laws, which he found true by experience of other parts. Also, the Earl said, 'Why was Philip Hore so long imprisoned, and no cause alleged upon him?' Unto all which we answered: 'Touching the imprisonment of you, O'Donnell, and of O'Reilly, if there were no cause to touch you in disloyalty, yet all princes in policy may and do use to take their subjects in pledge for the peace of their countries; and you both, being but subjects, do use the like, and therefore should the less dislike of that course.' Then said the Earl: 'Why do you then take great sums of money for their deliverance, as you have done of O'Reilly?' We said the Queen did freely set him at liberty. 'That is true,' they said, 'but others had it.' 'Neither,' said we, 'do we know it true or believe it.' But they still said they could prove it true, and inveighed greatly against such bribing, as they termed it. And we said, as touching Willis, his proceedings and the corruption of officers, it was without warrant, and Her Majesty's officers would many times be evil like their own. And after many other speeches had thereof with persuasion, that which was amiss should be remedied, we ended these parts. Then we entered into speeches touching their general demands, which we have formerly sent unto your lordship, saying: 'We, on Tuesday last, willed you to make them more reasonable, unto which you this last day sent us word you could not dare then to alter them, but since we hear

\* Carew MSS., Vol. III., p. 139.

not again thereof from you.' Unto which the Earl said : ' I will deal again with my associates, to see if they will agree to any change of them, and send you them to-morrow.' ' Then,' said we, because we would as well alter their manner as their matter of these demands, ' the course you hold, in setting down your demands in that manner you have done, can neither be allowed or answered by us, because it is joint, and that you would have all the rest depend upon the peace of you the Earl only. And you, the Earl,' we said, ' had in all your letters to the State mentioned you would deal but for Tyrone, and O'Donnell for Tyrconnel, and every of the rest for their own peace. Neither could we deal with you, O'Donnell, for Connaught causes, because they were to make their own peace, agreeing with your (the Earl's) letter. Neither yet touching the Breny causes, for the Breny is, was, and ought to be under only Her Majesty's immediate obedience. And our commission could not take knowledge of Philip O'Relye's being with you, nor of any title he had or could make for himself by law or custom. And we marvelled in like manner why you meant in your articles to mention anything touching M'Genny's country, who had the same by patent, and in his life-time never complained of any grievances to himself or to his country ; and which country was now descended upon his eldest son according to his father's patent.' Upon which O'Donnell answered : ' But there is another now claiming the same by ancient custom of the country, who is with us.' ' If custom,' said we, ' should prevail, neither O'Relye in the Breny nor yourself have interest in Tyrconnel, so as we perceive you do now not stand upon your own customs.' Upon which he answered not, but smiled. And we said unto the Earl : ' What intend you to claim by patent, or by custom to the disherison of your children ?' Unto which the Earl mutteringly answered, ' That shall come in question hereafter.' We gathered he would not fully answer, because O'Donnell was present ; and although we divided them the first day, as we have signified, yet now we perceive they intend not to have speech, but both being present, and to assent to no more than to what they all shall agree. In the conclusion of our parley, we required them, for the reasons aforesaid, to set down dividedly all the causes of their grievances, their demands and offers, and thereupon we would answer them so



reasonably as we hoped should be to their satisfaction; and this present morning they have sent unto us their demands for M'Mahon, as they term him, and of every Mac with the griefs, because, as they say, there began the cause of their complaints, which we send enclosed, by which it appeareth Her Majesty, besides her interest with the royalties, shall yearly lose about £500 sterling, besides the Earl of Essex to lose the benefit of his lands of Ferny. The rest of their demands in likelihood be of the same nature. We will keep them together by means of delays until we discover how far they will be drawn, and their further intentions.”\*

The demands of the several chiefs which were furnished, although they each specified distinct grievances, were drawn up upon a common form, and included two demands of importance—that they should have free liberty of conscience, and that no garrison should be stationed in their territories.

It is difficult to understand the meaning of the phrase, “liberty of conscience,” or with what view it could have been put forward upon this occasion. If, as O'Neill had represented in his letter to the King of Spain, their object was to re-establish the Catholic religion with the aid of Philip II., this demand fell far short of their intentions. The Catholics considered Elizabeth to have been deposed, and, by virtue of the Papal authority, “that no king should be recognised by good Catholics other than the King Catholic.” Liberty of conscience would have sounded strange in the ears of the Spanish monarch. For years he had warred against “liberty of conscience,” and had done so logically and sincerely, from his point of view, as the champion of the only true Church. If liberty of conscience merely had been the object of the confederates, they had overstated their views in their letters to their continental allies. In point of fact, had they any grounds for requiring liberty of conscience? Although the Protestant episcopacy had been established by law in Ireland, no bishops had been appointed by the Crown to the north-western dioceses; nor, even had they been so appointed, had any restraint been laid, except in the question of the Royal supremacy, upon individual belief in

\* Carew MSS., Vol. III., p. 141.

dogmatic matters. If liberty of conscience had been construed to mean free and open exercise of religion, no attempt had been made to enforce the Anglican ritual upon the Ulster chiefs, nor is there any ground for believing that the ceremony of the Mass was restrained from being celebrated among them. Legally and theoretically it was forbidden; but were these statutes in force in the northern province? What renders it more strange is, that they had at this very time very reasonable grounds for complaint: the English fleet off the coast of Donegal had been employed in plundering churches and sanctuaries, but to this no allusion is made. In reply to this demand, Elizabeth made the answer, that she would never expressly grant liberty of conscience to any, but that she had tolerated dissidence hitherto, had then no intention to alter her course of conduct, and nothing had been done by her in this respect to justify a rising. "Her Majesty hath tolerated herein hitherto, so in likelihood she will continue the same."\* "Wherein he requires free liberty of conscience for all the inhabitants of Tyrone, this request was disloyal, and thereof at the time of his submission no word had been made. He may be sharply told that this hath been a later disloyal compact made betwixt him and the other rebels, without any reasonable ground or cause to move them thereunto, especially considering there hath been no proceeding against any of them to move so unreasonable and disloyal a request as to have liberty to break the laws, which Her Majesty will never grant to any subject of any degree."† Considering that this demand was tacitly dropped out in the course of the negotiations, and that the Earl of Tyrone, whose conscience had permitted him to serve the Crown against Catholics in the Desmond war, never asserted in his complaints that he, or any of his confederates, grossly ill-treated as they had been, had, as yet, suffered any persecution for their religious opinions, it is difficult to avoid the conclusion, that the demand for liberty of conscience was merely a form to prevent the prosecution of the war, which had been represented to Philip II. as a Catholic crusade, losing altogether its religious character. O'Neill and the confederates were apparently anxious to come to terms with England, if they could have secured themselves in their

\* Carew MSS., Vol. III., p. 152.

† Ibid., p. 167.

territorial independence, in which case their liberty of conscience could not have been much imperilled; and, therefore, the religious question which had to be raised, *pro formá*, was put forward in the mildest form, and then silently abandoned.\*

The second demand, that no garrisons should be stationed in their territories, was of vital importance; they all knew by bitter experience than an English garrison involved the constant danger, or rather certainty, of robbery and insult, and that so long as any troops were stationed among them, they never could be the masters of their estates, or secure from the tyranny and insolence of the Irish Executive. This point was never substantially given up; although O'Neill sometimes appeared to yield it, he fenced the concession with conditions which rendered it nugatory. The absolute possession of their respective territories was also requisite to the confederates as a material guarantee. In all cases of insurgents treating with the Executive, there exists no sanction to bind the Sovereign to the fulfilment of the terms agreed upon, unless the confederates can by some means contrive to prolong their alliance, or secure the absolute possession of some district territory. O'Neill and his allies were exposed to the same danger in treating with Elizabeth as the Huguenots in treating with the French kings. What the Protestants obtained by the session of the treaty cities, the Irish confederates may have sought in the undisputed possession of the respective principalities.

As the negotiations proceeded, O'Neill and O'Donnell assumed the position of protectors of all insurgents against the Queen, insisting that the Leinster rebels, including Fiacha M'Hugh, should be included in the treaty. The English Government, perplexed and exasperated, discovered that Irish affairs were entering into a new phase, and a national league was being formed, which would require the utmost strength of England to subdue. They felt they were unprepared to strike, and they could not yield to the terms required; the truce was, therefore, to be prolonged, and the negotiation continued to gain time. "Had we not considered our

\* "Her Majesty is highly offended with your petition for liberty of conscience, and her pleasure is that you desist from it."—*He agrees*. "Her Majesty's pleasure to be signified to the Earl of Tyrone, with the Earl's answers thereto."—Carew MSS., Vol. III., p. 172.



weakness, and our want of victuals and other necessaries, we would have broken off our treaty rather than endured their insolency."\*

Tyrone seems to have been equally unwilling to commence hostilities; a mere Irish war could not lead to any result save the gradual exhaustion of the insurgents. Until he received succour from Spain, and had effected definite arrangements with the Spanish Court, it was idle to move. This, as his agent, Hovenden,† wrote to him, must be secured, or a thorough peace made at once. A thorough peace, however, can with difficulty be brought about between an absolute sovereign and a subject. The conclusion of peace means in such case absolute submission to the mercy of the Crown. There is no court wherein the clauses, conditions, or provisos of the treaty may be enforced; the only sanction to which nations can appeal is thus by the fact of the agreement laid aside by one of the contracting parties. Neither party desired to commit themselves irrevocably in hostilities, and yet they never could agree upon satisfactory terms.

Until August, 1598, it is impossible to describe the state of Ireland as either peace or war. At one time Tyrone submitted to the Queen's terms, and a pardon was sent over, but when the pardon arrived he would not accept it; the northern garrisons seem to have been in a continual state of blockade; interminable letter-writing went on between the parties without bringing them to any definite agreement; the negotiations were interspersed by some occasional fighting, and a raid into Ulster, with the usual result. This feebleness of the English Executive necessarily inspired the Celtic population with the hope of a universal and successful rising, and the belief that he (the Earl) had at last appeared as the champion of the native tribes. "There is no part (of Ulster) freed from the poison of this great rebellion; and no country, or chieftain of a country, whom the capital traitor Tyrone hath not cor-

\* The Commissioners to the Deputy, Carew MSS., Vol. III., p. 159. The reason of this truce being made was "the wretched state of the troops at Dundalk, unfurnished of all necessaries, and not half armed, who were ready to run away from their colours, and of the magazines, there being but three barrels of powder in Her Majesty's stores, and no victuals."—Carte, Vol. I., p. cviii.

† Carew MSS., Vol. III., p. 171.

rupted, and drawn into combination with him." The irrepressible Fiacha MacHugh received assistance from O'Neill, and the old sore of Leix and Offaly broke out afresh, after more than forty years of English colonisation, "and they sought to upset the English out of their dwellings in Leinster, as other rebels in Ulster and Connaught had done."\*

In August, 1598, the northern garrisons were in extreme distress for provisions; and for their relief the flower of the English forces, with supplies of provisions, arms, and money, marched to Armagh, under the Marshal, Bagnall. When Bagnall took the command, there could be no doubt that the war would be pushed on vigorously, and that something more than a mere raid was intended. O'Neill may have thought a secure peace could not be obtained, and the negotiations no longer protracted; and his unwillingness to fight was overcome by the presence of his personal enemy.

On the 14th of August, 1598, the English force started from Armagh to relieve Blackwatertown (then called Portmore), and on its march was attacked, and utterly defeated, by the Ulster forces. English authorities admit that the Marshal Bagnall, 13 officers, and 1,500 soldiers were killed. This number the Irish authorities raise to the total 18 or 23 officers of rank, and 2,500 soldiers killed. The remnant of the army escaped back to Armagh, which, together with the other northern garrisons, surrendered a few days afterwards. No victory could have been more complete. All the standards, arms, and ammunition, and supplies, were captured, and the relics of the force escaped by a capitulation. Fynes Morrison says—"The English from their first arrival in the kingdom never had received so great an overthrow as this. Tyrone was among the Irish celebrated as the deliverer of his countrymen from thralldom; and the general voice of Tyrone among the English, after the defeat of the Blackwater, was as that of Hannibal among the Romans, after the battle of Cannæ." Cox says—"By this victory the Irish got arms, ammunition, and victuals, and, which was more, so much reputation that the English could act only on the defensive part; and not that itself without continual fear and danger."

\* Carew MSS., Vol. III., p. 271.

After this the war had to be fought out *à outrance*. The Earl pushed some kerne into Munster, and immediately the natives rose upon the undertakers of the Desmond estates, who seem to have made no effectual resistance. The Queen wrote to the Lord President of Munster, on the 3rd of December :—

“ When the traitor first grew to head, with a ragged number of rogues and boys, you might better have resisted than you did, especially considering the many defensible houses and castles possessed by the undertakers, who, for aught we can hear, were no way comforted or supported by you ; but either for lack of comfort from you, or out of mere cowardice, fled away from the rebels upon the first alarm.”

England, once thoroughly aroused, began to pour in troops, supplies, and money, without stint. In April, 1599, the Earl of Essex took the command of an army estimated at 20,000 men, and commanded by officers seasoned in continental wars. At this date the whole force of the rebels throughout Ireland was estimated by the Council at no more than 18,368 foot, and 2,346 horse,\* scattered over the whole face of the island, without any line which could be taken up by them for defensive purposes—without unity of action—without commissariat, magazines, or supplies of any kind, except stray cargoes of munitions from Spain, without the most ordinary requisites for carrying on a campaign in a civilised manner. Most of the insurgent force must have been utterly undisciplined, and, for a prolonged campaign, practically useless. Galloglass and kerne sound formidable, and may have looked so ; but as soon as the war in Ireland was carried on as it was by Lord Mountjoy, such irregular levies merely insured the defeat of their party.

It is evident that although the English had to encounter great difficulties in securing and occupying the entire island, O'Neill could never have expected to succeed, by the resources of his Irish allies, in driving the English out of Ireland. He was wholly without the means of carrying on an offensive campaign ; he had no battering train to breach the fortifications of the English towns ; no regular troops fit to storm intrenchments, or fight a pitched

\* Carew MSS., Vol. III., p. 298.



battle in the open country; no cavalry of sufficient quality or number to hold the campaign country. His only hope of ultimate success was the arrival of support from Spain; and his constant object was to avoid committing his forces to any decisive engagement, and thus to keep them together as long as possible.

The superiority of the English forces was not, however, so decisive as might have been expected. In January, 1600, Sir J. Dowdall thus described the condition of the contending forces:—"Why are the (English) forces so weak and poor? One cause is the electing of captains rather by favour than desert; for many are inclined to dicing, wenching, and the like, and do not regard the waste of their soldiers. Another cause is, that the soldiers do rather imitate the disarmed companies, that come out of Brittany and Picardy, desiring a scalde rapier before a good sword, a pike without carettes or burgennott, a harkbuttler without a marrion, which hath not been accustomed in this country but of late. The captains and soldiers generally follow this course, which is a course fitter to take blows than make a good stand. Many of the captains and gentlemen are worthy men; but most of them are fitter for the wars of the Low Countries and Brittany, where they were quartered upon good villages, than here on waste towns, bog, or wood, after long marches. Some captains have, by their purse and credit, held their companies strong, but have neither been repaid nor rewarded, and have fallen into great poverty. Other captains, therefore, rather than spare a penny, will suffer their soldiers to starve, as is daily seen in this country. Another reason is, that supplies come so short, and so long after they are due, the victuals are many times corrupted by the provant-masters that go to the heap for cheap. The captains and soldiers are constrained, upon their charges with long attendance, to fetch by convoy their weekly lending, sometimes thirty or forty miles. The soldiers are compelled to carry muskets, which are very heavy. Why is the Irish rebel so strong, so well armed, apparelled, victualled, and monied? He endures no wants; he makes booty upon all parts of the kingdom, and sells it back for money. In this way the same cow has been taken and sold back again four times in half a year, by which they (the rebels) have all the money in the kingdom. There is no soldier with a good sword, but some Gray merchant or townsman

will buy it from him. The soldier, being poor, sells it for 10s. or 12s., and if an excellent sword, it is worth commonly among the rebels £3 or £4. A graven morrion, bought of a poor soldier for a noble, or 10s., is worth among the rebels £3. The soldiers, likewise, through necessity and penury, sell their powder at 12d. a pound, and the Gray merchants or townsmen collect it, and sell it again to the traitors at 3s. It is not the sword only, but famine, that will make them fall as in the Desmond's wars and those of Connaught. It may be said, the good will perish with the bad. I hold there are very few but have deserved, both at God's hands and Her Majesty's, such a reward. The enemy spares neither friend or foe, and as long as there is any plough going or breeding of cattle, he will be able to make wars, except against walled towns and fortresses."\*

Both the English and Irish commanders equally suffered under difficulties; but those of the former could be remedied by energy on the part of the commanding officers, supported by a lavish expenditure of money; those of the latter were incurable and aggravated from day to day.

Lord Mountjoy, abandoning the old system of marching his army in force across the country, and dispersing the insurgents merely to rally again, occupied with fortifications numerous points, from which flying columns in every direction ravaged the country. Slowly, but surely, the power of resistance was diminished; the war had burned out in Leinster and Connaught. The castles of the Munster lords, who never could be induced to abandon their fastnesses, and fight in the open, were gradually battered and stormed by Sir George Carew, the Lord President; Ulster, which for two years had been exempt from the ravages of war, was traversed by English columns, and its commanding points gradually occupied by forts; still both O'Neill and O'Donnell kept their forces together, and evaded all attempts to bring them to a decisive engagement; nevertheless it was clear that without foreign assistance their surrender was becoming a mere question of time.

On the 20th of September, 1601, the Spanish fleet of forty-five sail was seen off Old Kinsale Head; and on the 23rd, after having

\* Carew MSS., Vol. III., p. 353.

tried to reach Cork, the Spanish General, Don Juan de Aquila, landed without opposition at Kinsale. The portion of the Spanish force which reached Kinsale was not less than 3,500 men, most of them veteran soldiers, but utterly unprepared for a campaign, and relying for its means of transport upon the assistance of the native population. The Spanish general, who could not understand the spirit of a national rising, and had no sympathy for a rebellion of any kind, called on the people to rise in the name of the Pope. "First of all, ye feign that we would lead away the pretended subjects of the Queen of England from their allegiance, to bring them thence under our yoke, which is a very untruth; for we endeavour not to persuade anybody, that he should deny true obedience (according to the true Word of God) to his prince; but ye know well that, for many years since, Elizabeth was deprived of her kingdom, and all her subjects absolved from their fidelity, by the Pope, under whom He that reigneth in the heavens, the King of kings, hath committed all power, that he should root up, destroy, plant, and build in such sort, that he may punish temporal kings (if it shall be good for the spiritual building), even to their deposing, which thing hath been done in the kingdoms of England and Ireland by many Popes, namely, by Pius V., Gregory XIII., and now by Clement VIII., as it is well known, whose Bulls are extant amongst us. I speak to Catholics, not to froward heretics (who have fallen from the faith of the Roman Church). Seeing they are blind leaders of the blind, and such as know not the grounds of the truth, it is no marvel that they do also disagree from us in this thing; that our brethren the Catholics, walking in the pureness of faith, and yielding to the Catholic Church (which is the very pillar of truth), will easily understand all these things. Therefore, it remaineth that the Irish (which adhere to us) do work with us nothing that is against God's laws, or their due obedience—nay, that which they do is according to God's Word, and the obedience which they owe the Pope." An unfortunate Celt, whose father and relatives had been driven out of their holdings to make way for Munster undertakers, did not require such arguments to calm his scruples of conscience in rising against the Queen of England. "Who is there that hath demolished all the temporalities of this most flourishing kingdom, except the English?



Look upon this and be ashamed. Whereas we, commiserating the condition of the Catholics here, have left our most sweet and happy country, Spain, that is replenished with all good things; and being stirred with their cries, which pierce the heavens, having reached to the ears of the Pope and our good King Philip (III.), they have (being moved with pity) at last resolved to send unto you soldiers, silver, gold, and arms, with a most liberal hand, not to the end they might (according as they feign) exercise cruelty towards you, O Irish Catholics, but that you may be happily reduced (being snatched out of the jaws of the Devil, and freed from their tyranny) into your own pristine ingenuity, and that you may freely profess the Catholic faith. Therefore, my most beloved, seeing that which you have so many years before desired and begged for, with prayers and tears, and that now—even now—the Pope, Christ's Vicar on earth, doth command you to take arms for the defence of your faith, I admonish, exhort, and beseech you all—all, I say, unto whom these letters shall come—that as soon as possibly you can, you come to us with your friends and weapons; whosoever shall do this, shall find us prepared; and we will communicate unto them those things which we possess; and whosoever shall (despising our wholesome council) do otherwise, and remain in the obedience of the English, we will prosecute him as an heretic, and a hateful enemy of the Church, even unto death.”\*

Notwithstanding this proclamation, and the pressure of the titular Bishop of Dublin (who always describes the King of Spain as '*Noster Rex Philippus*'), the natives did not flock in with supplies and recruits—nay, rather showed a disposition to support the President, Sir George Carew. The Spanish narration says:—“Don Juan doth procure to draw from the country people, by love and reward, all that he can; yet, with all this, findeth no assurance from them; and the greater part have no will, seeing the small forces which have landed; but, seeing that there are more, they be still coming, and some of them receive pay, it will be very requisite to pay and arm them, because till now many of them are past to the enemy.”†

\* Don Juan de Aquila, his declaration in answer to the proclamation of the Lord Deputy and Council, “*Hibernia Pacata*,” p. 357.

† A discourse of the estate, wherein Don Juan de Aquila doth remain, from the Spanish. “*Hibernia Pacata*,” p. 341.

It was evident everything depended upon the Spaniards being joined by O'Neill. To accomplish and prevent this, both parties struggled with equal energy; all the English force, even the garrison of Armagh, were concentrated on Kinsale. On the 23rd the first English arrived before Kinsale; on the 29th the Deputy and Lord President reconnoitred the town; on the 16th of October the English army was encamped before the town, and the attack was pressed by land and sea.

During the months of October, November, and December of a cold and inclement winter, both parties threw up earthworks, dug trenches, and continually engaged in assaults and sallies; still the Spaniards, veteran soldiers as they were, held on bravely, looking out daily for the arrival of O'Neill, and encouraged by the suffering and losses of the besieging army. Meanwhile O'Donnell and Tyrone, with their entire forces, marched towards Munster to effect a junction with their allies. The President, with a covering force, attempted to intercept O'Donnell near Holycross Abbey; but he, turning to the right and traversing bogs, rendered practicable by the intense frost, marched forty miles without halting, to Croom. Carew, who had followed to Kilmallock, finding his labour lost, returned to Kinsale. O'Donnell thus succeeded in joining a second division of Spaniards, some 1,000 or 700 strong, which had landed at Castlehaven; and then at length the chiefs of Western Cork and Kerry rose and joined their allies. On the 8th of December, Tyrone's army appeared before the camp, and until the 23rd hovered round the English lines, whilst the Spaniards occasionally sallied from within.

The contest between the armies was one of endurance, in which the English, who had open communications by sea, had a manifest advantage. At length Tyrone, whether it was feared that he would not be able to keep his troops together from failure of supplies, or had imagined that the Spaniards were hard pressed, overruled by his council against his own better judgment, formed the resolution of storming the English lines on the morning of the 24th. Nothing but urgent necessity or compulsion could have induced him to attempt such an enterprise, for which his troops were eminently unfitted. Constant guerilla fighting, skirmishing, and avoidance of pitched battles gradually render soldiers useless for a mode of fighting to which they are wholly unaccustomed.

To render the attempt absolutely hopeless, the intended attack was betrayed to the Lord President by Bryan M'Hugh Oge M'Mahon, and consequently the Spanish-Irish army, instead of surprising the English camp, were themselves surprised by the English, who were ready to receive them. The result was a hopeless and irretrievable rout of the Irish ; 1,200 are stated to have been slain on the spot, besides wounded ; the English loss was insignificant. It is worth observation that on this occasion the Catholic Earl of Clanrickard was conspicuous for his ferocity in the pursuit. "No man did bloody his sword more than his lordship that day, and with his own hand he killed above twenty Irish kerne, and cried out to spare no rebel."\*

On the 2nd of January the Spaniards surrendered. O'Donnell went, or perhaps was sent, to Spain to ask further assistance, and died there shortly after his arrival. Numbers of the Irish, giving up their cause as lost, crowded the Spanish vessels which still hung off the south-western coast, and departed for Spain.

The Lord President, determined to put an end to the communications with Spain, commenced a campaign against the half-pirate chiefs whose castles studded the promontories of Cork and Kerry. The troops struggled across the pathless mountains, the artillery was dragged through bogs and over rocks ; then commenced a series of desperate and merciless sieges, in which castle after castle fell, until at last these obstinate tribes were almost exterminated.

Meanwhile O'Neill, probably awaiting the result of O'Donnell's mission, resumed his old position in Ulster, and the Lord Deputy, also returning to the same province, resumed the process of destruction.

It was soon evident to O'Neill that he could hold out no longer ; the state of Ulster was approximating to that of Munster after the Desmond war. Morrison, an eye-witness, describes the population as suffering from the extremest misery, and reduced to the most unnatural and disgusting means of appeasing hunger:†

\* "*Hibernia Pacata*," p. 421.

† "No spectacle was more frequent in the ditches of the towns, and especially in wasted countries, than to see multitudes of these poor people dead, with their mouths all coloured green, by eating nettles, docks, and all things they could rend up above ground. These and very many like lamentable effects followed their rebellion ; and, no doubt, the rebels had been utterly destroyed by famine, had not a general peace followed Tyrone's submission."—Morrison, Pt. II., p. 271.




If O'Neill could not continue the war, the English Government were utterly sick of it, and, in the crisis of a disputed succession, were anxious to bring it to any reasonable termination. Not the least extraordinary episode of the war was its conclusion.

On the 30th of March, 1603, O'Neill made his submission at Mellifont in the following terms:—"I, Hugh O'Neill, Earl of Tyrone, do absolutely submit myself to the Queen's mercy, imploring her gracious commiseration, imploring Her Majesty to mitigate her just indignation against me. I do avow that the first motives of my rebellion were neither malice nor ambition, but that I was induced, by fear of my life, to stand upon my guard. I do, therefore, most humbly sue Her Majesty that she will vouchsafe to restore to me my former dignity and living. In which state of a subject I vow to continue for ever hereafter loyal, in all true obedience to her Royal person, crown, and prerogatives, and to be in all things as dutifully conformable thereunto as I or any other nobleman of this realm is bound by the duty of a subject to a sovereign, utterly renouncing the name and title of O'Neill, or any other claim which hath not been granted to me by Her Majesty. I abjure all foreign power, and all dependence upon any other potentate but Her Majesty. I renounce all manner of dependency upon the King of Spain, or treaty with him, or any of his confederates, and shall be ready to serve Her Majesty against him or any of his forces or confederates. I do renounce all challenge or intermeddling with the urriaghs, or fostering with them, or other neighbour lords and gentlemen outside my country, or exacting black rents of any urriaghs, or bordering lords. I resign all claim and title to any lands, but such as shall now be granted to me by Her Majesty's letters patent. Lastly, I will be content to be advised by Her Majesty's magistrates here, and will assist them in anything that may tend to the advancement of her service, and the peaceable government of this kingdom, the abolishing of barbarous customs, the clearing of difficult passes, wherein I will employ the labours of the people of my country, in such places, as I shall be directed by Her Majesty, or the Lord Deputy in her name; and I will endeavour for myself, and the people of my country, to erect civil habitations, and such as shall be of greater effect, to preserve us against thieves and any force but the power of the State."\*

\* Morrison, Pt. II., p. 179.

Thus, after six years of war, or negotiations, the Earl retained Tyrone on almost the same terms which he had himself proposed in 1587. The national cause was hopeless, and he had no desire, as an exile in Spain, to assist in a second Catholic crusade. With characteristic common sense, he made the best terms for himself, and resumed his position as the first subject in the realm ; nor is there any reason to doubt that he was perfectly loyal and sincere in so doing.

On the afternoon of the next day he rode into Dublin with the Deputy, where he received intelligence at which he burst into tears. Elizabeth had died on the 24th of March. A few hours' delay, and he might have dictated the terms of his submission.



## CHAPTER XX.

---

### THE FLIGHT OF THE EARLS, AND THE PLANTATION OF ULSTER.

WITH the submission of the Earl of Tyrone terminated the struggle between the Tudor princes and the native Celtic tribes. No chieftain henceforward claimed to rule his district in independence of the Crown of England. The Celtic land tenure, the Brehon laws, the language, customs, and traditions of the defeated race were doomed to gradual yet certain extinction. The institutions of England were to be transplanted into the sister island, irrespective of the question how far, if at all, they were suitable to the Irish. Henceforth the King's garrisons were to occupy every stronghold; the King's writ was to run in the remotest districts; the King's judges were to hold assizes in every new-made county. Before Elizabeth was laid in the grave, the object for which during so many years she had striven was thus at length accomplished; and here, therefore, the history of Ireland under the Tudors might naturally terminate; but between the wars of the Tudors and the civil government of the Stuarts, still remain (the intermediate link, as it were, between the two) the fall of the able man who had created and so long conducted an almost national resistance, and the colonisation by English settlers of his demesnes and the adjoining parts of Ulster. The epic is not complete without the death of the vanquished, and the division of the spoils.

Tyrone deliberately gave up the national cause, when resistance was no longer possible; and, submitting to the inevitable, proposed to hold his earldom as an English subject. There can be no doubt that he seriously intended to make the best of altered circumstances;



had broken off all connexion with the foreign enemies of England ; had abandoned all designs of Celtic nationality, and Catholic restoration ; and, if the Government had permitted him, he would himself have lived a loyal subject of the English King. Nor could he have found much difficulty in so doing. He had not been brought up as the hereditary chief of his native tribe. Until his forty-seventh year he had been a pensioner and officer of the English Crown. Until 1596 he had exhibited extreme loyalty to the Government, which had supported his cause. Until the Battle of the Yellow Ford (14th August, 1598), he had hesitated as to going into open opposition to the Queen. At the time of his submission, in the sixty-second year of his age, he may have been perfectly willing to fall back into his old allegiance, and, in full possession of the prize for which, throughout his youth, he had struggled, to enjoy the position of the first noble of the realm. But could he live as a subject ? In an age of political conspiracies, English statesmen, who for years had lived in constant, but not groundless, alarm of Spanish invasions, Catholic or Jesuit plots, and Irish insurrections, and who, even then, received every day information from secret agents of projects for the overthrow of the English Government, and the restoration of the Catholic Church, most of it delusive, yet much substantially true, could not but regard the Earl with constant suspicion. A single word from him, and Ulster would again rise to arms ; that he would be tempted, and sorely and often tempted, was certain. Could he be trusted ? —and had his submission been sincere ? It was inevitable that every word of his would be noted, every gesture marked, every, the minutest, detail of his conduct reported by spies to a timid and suspicious Executive. If he had fallen sword in hand, the English might have felt the sympathy due to a gallant foe ; but that six years of warfare, costly and bloody, should have left Hugh O'Neill the Earl of Tyrone, was a very unsatisfactory result. English officers and soldiers, who had toiled through the Irish campaigns, ill paid, ill clothed, and neglected by the Government, and captains who had come back bankrupt from the Ulster wars, had to salute the Earl of Tyrone, when he swept past them into the Council Chamber. "I have lived," says one English gentleman, "to see that damnable rebel, Tyrone, brought to England, honoured

and well liked. O'what is there that does not prove the inconstancy of worldly matters? How I did labour for all that knave's destruction! I adventured perils by sea and land, was near starving, eat horse flesh in Munster, and all to quell that man, who now smileth in peace at those who did hazard their lives to destroy him; and now doth Tyrone dare us, old commanders, with his presence and protection."\*

The officials and adventurers, who had looked forward to an O'Neill forfeiture and a plantation of Ulster, were disgusted at being baulked of their expected prey, and but too anxious to entrap and misrepresent the Earl, and by his fall to obtain the realisation of what they had long anticipated.

Such of his vassals, as O'Cahan, who, before the Earl's submission, had made their peace with the English Government, now found themselves, by the terms of the Earl's arrangement, again holding their estates from him, and were ready to lend themselves to any system of annoyance.

The English garrisons within his territories could not be brought to regard the arch-rebel and traitor, upon whose head a reward had been set, as a loyal subject, a nobleman entitled by the King's letters patent to exercise high administrative and judicial powers. The new sheriffs of his counties regarded him in the same light.

The English bishops of adjoining dioceses saw in him one against whom they could urge ecclesiastical claims, with the certainty of finding the Council in Dublin favourable to their complaints.

To complicate matters still more, James was determined to enforce uniformity in religion in Ireland as in England; all fear of national resistance being removed, the Catholics in Ireland, as the Puritans in England, were no longer to be allowed the liberty of public worship.

Tyrone, during all his career, attempted nothing so difficult as to live a loyal subject of the English King.

It would be tedious to relate in detail the complications and annoyances in which Tyrone was involved—his lawsuits with

\* Harrington to the Bishop of Bath and Wells.

1607  
 O'Cahan and with the Bishop of Derry and Raphoe; the interference in religious matters of the Archbishop of Armagh; the expressions publicly used towards him by the Deputy; the conduct of the English garrisons and sheriffs. Day by day he must have learned, by a continuous course of litigation and insult, that he was a marked man; that every Englishman in Ireland regarded him as an enemy; that at any moment he might find himself involved in a charge of treason, supported by interested or bigoted witnesses, and that his life and fortune were hourly in peril. Exactly in the same position as the Earl was Rory O'Donnell, who, following the example of Tyrone, had submitted to the English Government, and received from it the title of Earl of Tyrconnell. For some years the two Earls led a most uncomfortable and not very dignified life, until, in 1607, the crisis arrived.

On Monday, the 18th of May, in that year, the celebrated anonymous document, of which Lord Howth was the author, was found at the door of the Council Chamber in Dublin, obscure and unintelligible as that which disclosed (or was supposed to disclose) the Gunpowder Plot. Rambling and absurd as the document was, it was a sufficient ground to excite suspicion and alarm in the Deputy's mind; and these fears were confirmed by the statement of Lord Howth, involving conspiracies, invasions, and immediate perils. Whether they were true or had a basis of truth may be questioned; but they contained nothing touching Tyrone save the vaguest surmises.

Tyrone, who was with the Deputy in August, 1607, may not have been aware that there was a correspondence relating to conspiracies, in which he was charged to have been implicated, being then carried on between Dublin and London; and he seems to have proposed a journey to London, to bring his grievances before the King, when he suddenly received the communications from the Continent which induced him to abandon the country. Cuconnaught Maguire had fled to Flanders in May, 1607, and while there was informed that if Tyrone went to London, he would be at once arrested. He was so persuaded of the truth of this, that he not only sent information to the Earl, but despatched an armed vessel to the north of Ireland to assist his departure.

Tyrone at once resolved to embrace the opportunity for escape.



There is no reason to believe that he was engaged in any conspiracy; but he was utterly disgusted with his position, irritated with the annoyances he was continually subjected to, and must have foreseen that it was impossible for him to live in Ireland as an English subject, and that, sooner or later, he should be forced into rebellion, or accused of treason.

The Earl of Tyrconnell, who was in the same position as Tyrone, resolved to accompany him; they both fled with their families, and succeeded in embarking in Maguire's vessel in the Lough Swilly. After various wanderings, they ultimately reached Rome, where Tyrconnell died in 1608, and Tyrone eight years after.

These two noblemen, who had advisedly abandoned the Catholic cause, had submitted to the English Government, had seriously endeavoured to live as English subjects, and do not appear to have been engaged in any conspiracy, had been forced to fly from Ireland by the continual annoyances, suspicion, and danger they were subject to at the hand of the Executive; yet, strange as it may seem, they were received on the Continent as Catholic martyrs, who had laid down all for the Church, and as exiles who had fled abroad in hopes once more to renew the national struggle. Tyrone and Tyrconnell were either innocent or guilty of designs against the Government. If guilty, the Government was fully justified in the proceedings subsequently taken against them; if innocent (which would seem to have been the case), they had no claim to be considered as Catholic martyrs—a character most incompatible with the whole of Tyrone's career.

The extreme impolicy of the English Government throughout these transactions is remarkable. If a man of Tyrone's position, reputation, and abilities, was willing to submit and live an obedient subject, to maintain order in Ulster, and gradually draw over the native population to loyalty to the English Crown, no efforts should have been spared to retain him, no price would have been too great for his services. If, instead of being harassed and insulted by English bishops and garrisons, he had been frankly and loyally dealt with, his services acknowledged, and his hands strengthened for good, instead of an Ulster "reformed" by a Scotch and English plantation, we might have an Ulster as thriving and cultivated,

but inhabited by the descendants of its original possessors ; the rising of 1641 and all its consequences might have been spared this country ; but the hatred and suspicion of all that was Irish, the desire to utilise this country for the benefit of the English, and the greed for grants of lands and forfeited estates, in this as on many other occasions, influenced the conduct of the Government of the country, the miserable results of which form the staple of our subsequent history.

As a matter of course, the Earls were attainted and their estates confiscated. The extent of the property confiscated was remarkable. It is to be recollected that there had not been any rising whatsoever, nor even an overt act of treason, nor any evidence to connect either of the Earls with an existing conspiracy. The only evidence against them was the fact of their flight and their subsequent conduct. Their voluntary exile and residence abroad, among either the suspected or avowed enemies of England, was a sufficient ground for a conviction of treason as against themselves, for their departure was a renouncing of their allegiance, and an abandonment of the terms upon which their submission had been accepted. They might have been forced into this course by harsh and unjust treatment ; but, from whatsoever cause they had done so, the step they had taken was decisive and irrevocable. But every principle of law required that the forfeiture, which was inevitable, should not extend beyond the beneficial interest of the two Earls themselves. their property should have vested in the Crown ; but every estate, right, or claim of innocent third parties should have been secured. This had been carefully considered in the Acts of Attainder in the reign of Henry VIII. But by this equity to third parties, this careful providing for the interests of the poor and unprotected, the plans of the Government and the hopes of expectant grantees would have been frustrated. What, even according to English law, should have been confiscated were the lands of the exiles, their personal property in their actual possession, and merely the rights of the chief over the residue of the tribe lands. The Government, however, had determined to stretch the confiscation so as to enable the King to deal as absolute owner in fee of Tyrone and Tyrconnell, discharged of every estate and interest whatsoever. For this purpose a theory was invented that the fee of the tribe lands was vested

in the chief, and that the members of the tribe held merely as tenants at will. Than this nothing could have been more false; they did not, indeed, hold by feudal tenure, nor in most instances possess what the English law described as the freehold; their titles were not entered upon the roll of a manor, nor could they produce parchment grants or muniments of title; yet the rights they possessed in the land were, according to their native laws, as clear and definite as any feudal grant could make them; and their properties, whatever they might be, had been possessed by their ancestors before English law had reached the country. But in spite of all this, the King declared that, because their interests could not square with the logical distinctions of the feudal code, but were defined by Brehon law—which, in the eyes of English lawyers, was not law at all, but a damnable custom—the population had no more interest in or title to the lands, which their ancestors had possessed time out of mind, than wild beasts or cattle could claim.

This point having been satisfactorily decided, the Crown was freed from all claims, legal or equitable, the tenants at will should be thankful for any provision, however small, and the work of the plantation might be carried out without let or hindrance.

This was the great injustice upon which the plantation of Ulster was founded. The English Government had for years cried out against the evil treatment to which the poor earthworkers were subjected by their tribe lords, had represented the local communities to be governed without reference to the wants and conditions of the poor, had held out the fixity of tenure, and freedom from arbitrary exactions, as the great benefit which the tillers of the soil were to receive when the lands were made shire land, and subject to English law. But, although these districts had five years before been made shire land, although the judges had gone circuit there and found freeholders enough to sit on juries, to serve upon the very juries by which the Earls had been condemned, the Government, when it suited its purpose, could insist that English law had extended to those districts as far as was necessary for the attainder and confiscation of the estates of the lords, but not so far as to secure the poor and weak in the possession of their holdings or enjoyment of their rights; or, if it did at all apply to those of base



condition, its only effect was to reduce their customary rights to the delusive estate known to English law as a tenancy at will. This was the great wrong which for more than a generation rankled in the hearts of the Ulster Irish, which made them regard the Scotch and English settlers as robbers, maintained in the possession of their plunder by the strong hand of an overbearing foreign Government. In the remembrance of this wrong, cherished for more than thirty years, the children of those who, by a legal quibble, had been thrust out of their patrimony, seized the first opportunity to regain their old estate.

The results of the plantation of Ulster are patent to us all. Is it the present prosperity of the north of Ireland, the manufactures of Belfast, the well-tilled farms of Londonderry or Armagh?—all that might have existed without a plantation. The moral results were greater than the material. The true fruits of the plantation are the rising of 1641—the event upon which our later history turns—the accompanying massacre, ten years of civil war, then a greater confiscation; and, after years of confusion and disorder, the uncertainty of titles and disregard of the rights of property, which even now fill the island with alarm and paralyse the progress of the country.

The whole scheme of the plantation, and the results expected to flow from it, are very fairly, but, of course, from the most favourable point of view, stated by Mr. Carte. “Nobody better (than Sir Arthur Chichester) knew the territories to be planted, the situation of every part thereof, the state and condition of the natives, as well as the pretensions and expectations of the Irish chiefs; so that none could be better qualified, either to propose a scheme for the plantation that would be practicable, or to see it executed, so as to make it effectual. For this purpose he caused surveys to be taken of the several counties that were to be planted; he drew up a particular account of the state of each, pointed out the several places in which, by reason of their situation upon passages and rivers, or of other advantages for the service and defence of the country, it was proper to found towns or erect castles and forts; represented at large the character of the Irish chiefs, for whom it was proper to provide; the temper and circumstances of the old inhabitants, the rights of new purchasers, the claims of all

persons, the impediments that had formerly obstructed a plantation and rendered it ineffectual in other places, and the methods of removing them; and, after a particular detail of these several matters, he proposed, with regard to the persons who should have lands assigned them for planting, that they should be either the old Irish chieftains and inhabitants, or servitors of the Crown, or else English and Scotch undertakers. Different allotments were made to each of these, and encouragement given to them all. Great indulgence was used to those of the first sort, among whom were not excepted even such Irish as had been engaged in Tyrone's rebellion, and were still discontented enough in their minds, in hopes to gain them by such an act of confidence and favour.\* Their under-tenants, too, and servants were allowed to be of their own country and religion, being exempted from the oath of supremacy, which those of the other planters were obliged to take, the Britons being only to make use of English or Scotch, and the servitors, though permitted the service of natives, yet being confined to employ only Protestants. The servitors could not better recommend themselves to the King's further favour, than by carrying on a work which he had so much at heart; and were of two sorts—either the great officers of state, whose powers, dignity, and wealth added authority to the undertaking, and yielded assurance that it would be duly encouraged and supported by the Government, or else the captains and officers of the army, who had served in those parts during the war, and were to be seated in places of most danger and best advantage for His Majesty's service, and defence of the rest of the undertakers, as well on the sea-side as within land. These were the fittest, indeed, for such a province; but, as it appeared an hardship peculiar to them, they

\* *i.e.* The native proprietors, who had been all pardoned and received into the King's peace, in 1602, and who had not been subsequently guilty of any offence, were to be grateful, because, having been turned out of their estates by a legal quibble, they were allotted some small properties in another part of the country, and were not at once exterminated. As 116,330 acres, out of 511,467, were allotted among fifty-six servitors and 286 natives, the shares of the latter must have been of very small extent. In all the English accounts of the plantations, there appear similar touches of unconscious sarcasm. [See Note at end of chapter.]

were allowed from the Crown an entertainment and ward of men in such places, to enable them to help themselves and perform the service, till the country was well settled and quietly planted, when that allowance was to cease, and they be left to themselves as other undertakers. The English and Scots, indeed, were planted in places of the greatest safety; but, lying under particular disadvantages, by reason of their being utterly destitute of all knowledge of the country, and of the proper ways to provide for themselves and their servants, they were indulged the liberty of associating themselves with others, who lived in it, and could assist them with advice, lodging, provisions, and other necessities; and had a privilege of importing from Great Britain, customs free, whatever commodities and utensils might be of use in their plantations."

"The lands to be planted were divided into three proportions, the greatest, of 2,000 English acres, the middle, of 1,500, and the least, of 1,000 each; and every county was set out into these proportions; the one half of it assigned to the smallest, and the other half divided between the two other proportions. Ireland had suffered enough by the granting vast tracts of country to particular persons; but, by this method, prudent care was taken that none should have too great scopes of land lying together, so as make them too powerful for others, nor any have more than they were able to plant. In the distribution of these, it was thought proper to avoid a mistake committed in the plantation of Munster, where the Irish were mixed amongst the English, in order to learn civility and good husbandry from them; but experience showed that they only envied the fortunes of the English, and to long for the lands improved by their industry, and that they made use of the freedom of access which they had to their houses, and of conversation with their persons, only to steal their goods and plot against their lives. It was, therefore, deemed advisable to lessen this intercourse between the two people, and to plant them separately in different quarters—the Irish, in some one place of the plainest ground of their own country, and the British by themselves, in places of the best strength and command, as well for their greater security as to preserve the purity of the English language; which was likewise one of the reasons why they were forbid to marry or foster with the Irish; and this general rule



being observed, the several proportions were, to prevent disputes among the undertakers for preference and choice of lands, distributed to them by lot."

"The King granted estates to all, to be held by them and their heirs. The undertakers of 2000 acres held of him *in capite*; those of 1500, by knight's service, as of the Castle of Dublin; and those of 1000 in common soccage. The first were, in four years, obliged to build a castle and a bawn; the second, in two years, a strong stone and brick house and bawn; and the last a bawn; timber for that purpose, as well as for their tenants' houses, being assigned them out of the King's woods. The first were obliged to plant on their lands, within three years, forty-eight able men, eighteen years old or upwards, born in England, or the inland parts of Scotland, to be reduced to twenty families; to keep a demesne of 600 acres on their hands; to have four fee-farmers on an hundred and twenty acres each; six leaseholders on an hundred acres each; and on the rest eight families of husbandmen, artificers, and cottagers. The others were under the like obligations proportionally; and they were all, within five years, to reside in person on some part of the premises, and to have stores of arms in their houses. They were not to alienate any of their lands without a royal license, nor set them at uncertain rents, or for a less term than twenty-one years, or three lives; and their tenants were to live in houses, not in cabins, and to build their houses together in towns and villages. They had power to erect manors, to hold courts baron, to create tenures, with liberty of exporting and importing timber, and other privileges, which were likewise extended to the natives, whose estates were granted to them in fee-simple, and held in soccage, but with no obligation on any to erect castles or build strong houses. These were not thought proper for the residence of persons who might well be deemed willing to arrogate to themselves all the power that had been formerly *usurped* and exercised by the Irish chiefs; to guard against which they were restrained from having tenants at will. They were enjoined to set their lands at a rent certain, for the like terms as the undertakers, and were to take no chief rents, cuttings, or other Irish exactions from their undertenants, who were obliged to leave their creaghting (or running up and down the country with their cattle, from

place to place, for pasture), and to dwell in towns, and use the English manner of tillage and husbandry. In this manner, and under these regulations, were the escheated lands in Ulster disposed of to 104 English and Scotch undertakers, 56 servitors, and 286 natives, all which gave bond to the Government for performance of the covenants; for the better assurance whereof the King required a regular account to be sent him from the state of the progress of each undertaker in the plantation."

"Amidst these liberal donations of land, the King took some care of the revenue of the Crown, reserving (after three years' exemption, and three years at half-rent) upon every 1000 acres a rent of £5 6s. 8d. from the undertakers, and such servitors as planted with British tenants; of £8 from servitors that planted with Irish; and of £10 13s. 4d. from the natives, who were not obliged to build castles." . . . . .

"To make a proper provision for the instruction of the people, and reducing them to a conformity in religion, the King ordered that all ecclesiastical lands should be restored to their respective Sees and churches, and that all lands should be deemed ecclesiastical out of which the bishops had at any time formerly received rents or pensions; that composition should be made with the patentees for the sites of cathedral churches, the houses of residence of bishops and dignitaries, and other church lands which were never intended to be conveyed to them; an equivalent to be allowed to the patentee if he compounded willingly; if not, the patent to be vacated by due course of law, the King being deceived in his grant, and the possession to be restored to the Church. And to provide for the inferior clergy, he engaged the bishops to give up all their impropriations, and relinquish the tithes paid them out of parishes to the respective incumbents, making them ample recompense for the grants of his own lands. He caused every proportion allotted to the undertakers to be made a parish, and a parochial church to be erected thereon, the incumbent whereof was (besides all the tithes and duties of each parish) to have a glebe set out for him of 60, 90, or 120 acres, according to the size of the parish, and the proportion of which it consisted; and this to be laid, before any allotment was made to others, in the most convenient place, and the nearest adjoining to the parish

church. To provide, likewise, for a succession of worthy men to fill these churches, he erected and endowed free schools in the principal towns; he made considerable grants of lands to the college founded by Queen Elizabeth at Dublin, and vested in it the advowson of six parochial churches, three of the largest and three of the middle proportion, in each county.”\*

The entire amount of the lands treated as escheated to the Crown were 511,465 acres, which were disposed of as follows:—

To the Londoners and other undertakers	. 209,800
The Bishops' mensal lands . . . .	3,413
The Bishops' tithes and glebes . . .	72,280
The College of Dublin . . . . .	9,600
For free schools . . . . .	2,700
To Incumbents for glebes . . . . .	18,000
The old glebes . . . . .	1,268
To Deans and Prebends . . . . .	1,473
To servitors and natives . . . . .	116,330
To impropriations and abbey lands . .	21,552
The old patentees and forts . . . . .	38,214
To new corporations . . . . .	8,887
Restored to Maguire . . . . .	5,980†
Restored to several Irish . . . . .	1,468‡

The most important peculiarity of this plantation was the grants made to the London companies, by which large and influential bodies at the capital and seat of government acquired an immediate interest in Ireland, who, as the Irish undertakers of the succeeding reign, prevented the English Government from abandoning the cause of their grantees.

The present is not the occasion to consider how the conditions of their grants were in fact carried out by the patentees, or how

\* Carte, *Life of the Duke of Ormond*, Vol. I., p. 30, Part i., fol. 45.

† This was Sir Connor Roe Macguire, who had served the Crown against Tyrone. The word “restored” is therefore inaccurate.—Carte, Vol. I., p. 314, Part iii., fol. 5.

‡ Cox, Vol. II., p. 14.



the plantation in performance fell short of the scheme upon paper. This is a question to be considered while treating of the reign of James I., and becomes of much importance in regard to the nature and constitution of the House of Commons at that period. For the purposes of this chapter it is sufficient to state that the plantation was to a great extent, though not completely or immediately, carried out; that very large numbers of English and Scotch Protestants settled in the country, and invested large sums of money in their own establishment and in improvements.

The plantation of Ulster was not the only settlement of English and Scotch settlers of the Crown; several smaller or less successful projects were carried out about the same time in Leitrim, Wicklow, Wexford, and elsewhere.

The plantations did not include all the forfeited lands distributed by the Crown. The Deputy Chichester obtained very large grants, including the entire of Innishowen, the town of Dungannon, and a vast tract of land in the neighbourhood of Belfast.\*

The M'Donald clan had for generations held their own in the north and east of this country. The Celtic tribe which they found in occupation had been almost exterminated by them, not much to the profit of the English Government, who found the new comers much more warlike and aggressive than their predecessors. To the natives the islesmen had been equally mischievous as enemies or mercenary allies; to the English they had proved a constant nuisance; but though attacked and defeated repeatedly by both parties, by Essex, Shane O'Neill, and Perrot alike, they had held their ground in spite of all their assailants. As descendants of Scotch adventurers, they had a claim upon the new royal house; and James I. was willing to grant their chief even larger demesnes in Antrim than they had ever possessed or aspired to. Sir Randall M'Sorley M'Donald, of Dunluce, had just before the termination of the war joined Sir Arthur Chichester against Tyrone, and made a full and voluntary submission to the Lord Deputy. His tardy loyalty was highly rewarded. By letters patent of the 28th of May, 1603,

[\* Antrim and Down were not included in the plantation. Monaghan had been forfeited by the M'Mahons in 1591, and grants made of it, so it was not included in this plantation.]

he was granted the territories known as the Route and the Glynnnes, together with the Island of Raghlan (Rathlin) and some smaller denominations, in all the northern two-thirds of the county of Antrim, at the nominal rent of 120 fat beeves, and the service of twenty horse and 160 footmen. He was created on the 25th of May, 1618, Lord Dunluce,\* a title derived from the castle out of which the unfortunate M'Quillans had been expelled by his ancestors, and subsequently Earl of Antrim. The inhabitants of Dublin must have wondered to see the sword of State carried before the Deputy by the son of Sorleboy, whose family and tribe had been treated so often as vermin to be destroyed without mercy.

Independently of plantations and royal grants, Scotch and English adventurers were acquiring lands in Ireland. Many of the officers of the English army had succeeded in rendering themselves estated men, whose descendants were to swell the roll of the Irish peerage. The English of this period were most favourably impressed with the soil and climate of Ireland and its capabilities for improvement; the natives had been finally crushed, they could offer no resistance, and in the courts of law their rights would be but little considered. Thus, at this period and for a century after, Ireland was regarded as a land where large estates could be won by processes which did not require very strict honesty or prolonged industry. In such projects the Scotch of the coast opposite to Ireland were not backward, and as these gentleman had a habit of keeping accurate diaries and writing family histories, they have left us much interesting information as to the mode in which Irish estates could be acquired, and Scotch Presbyterians substituted for Catholic Celts.

As an instance, the settlement of the Montgomery family may be taken, the details of which are contained in the Montgomery MSS. lately published. "Foreseeing that Ireland must be the stage to act upon, it being unsettled, and many forfeited lands therein altogether wasted, they concluded to push their fortunes in that kingdom; and so settling a correspondence between them, the said George resided much at Court, and the laird returned to his

\* Lodge's Peerage, sub Earl of Antrim.

lady and their children at Braidstaire ; and employing some friends, who traded into the next adjoining coasts of Ulster, he by them (from time to time) was informed of the state of the country, whereof he made his benefit (though with great costs and pains, as will be hereafter related), giving frequent intimations of occurrences to his said brother, which were repeated to the King.”—“ In the meanwhile the said laird, in the said first year of the King’s reign, pitched upon the following way (which he thought most fair and feasible) to get an estate in lands, even with free consent of the forfeiting owner of them, and it was thus :—viz., the said laird (in a short time after his return from the English Court) had full information from his said trading friends of Con O’Neill’s case and imprisonment in Carrickfergus town, on account of a quarrel made by his servants with some soldiers in Belfast, done before the Queen died, which happened in manner next following, to wit :—The said servants being sent with runlets to bring wine from Belfast aforesaid, unto the said Con, their master, and Great Teirne, as they called him, then in a grand debauch at Castlereagh, with his brothers, his friends, and his followers, they returning (without wine) to him, battered and bled, complained that the soldiers had taken the wine, with the casks, from them by force. Con, inquiring of them into the matter, they confessed their number twice exceeded the soldiers, who indeed had abused them, they being very drunk. On this report of his said servants, Con was vehemently moved to anger ; reproached them bitterly, and in rage swore by his father, and by all his noble ancestors’ souls, that none of them should ever serve him or his family (for he was married and had issue), if they went not back forthwith and did not avenge the affront done to him and themselves by these few Bodach Sassenach soldiers (as he termed them). The said servants (as yet more than half drunk) avowed to execute their revenge, and hasted away instantly, arming themselves in the best way they could in that short time, and engaged the same soldiers (from words to blows), assaulting them with their weapons ; and in the scuffle (for it was no orderly fight), one of the soldiers happened to receive a wound of which he died that night, and some other slashes were given ; but the Teagues were beaten off and chased—some sore wounded, and others killed ; only the best runners got



away scot free. The pursuit was not far, because the soldiers feared a second assault from the hill of Castlereagh, where the said Con, with his two brothers, friends, and followers, stood beholders of the chase. Then in a week next after this fray an office of inquest was held on Con and those of his said friends and followers, and also on the servants, and on all that were suspected to be procurers, advisers, or actors therein, and all whom the provost-marshal could seize (were taken), by which office the said Con, with some of his friends, were found guilty of levying war against the Queen. This mischief happened a few months before her death, and the whole matter being well known to the said laird and his brother, and his friends, soon after the King's accession to the English Crown, early application was made to His Majesty for a grant of half the said Con's lands, the rest to Con himself, which was readily promised; but could not, till the 2nd of his reign, by any means be performed, by reason of the obstacles to the settlement of Ireland."

"The Queen being dead, the King filling her (late) throne, O'Doherty soon subdued, and the chief governor in this kingdom of Ireland foreseeing alteration in places, and the King's former connivance of supplies, and his secret favour to the O'Neills and M'Donalds, as to make them his friends, and a future party for facilitating his peaceable entry and possession in those northern parts of the country, it so came to pass that the said Con had liberty to walk at his pleasure in the daytime in the streets of Carrickfergus, and to entertain his friends, having only a single sentry to keep him in custody, and every night delivered him to the Marshal. And thus Con's confinement, which lasted several months after the Queen's death, was the easier, and supportable enough, in regard that his estate was not seized by the escheators, and that his words, at his grand debauch aforesaid, were reputed very pardonable, seeing greater offences would be remitted by His Majesty's gracious declaration of amnesty, which was from time to time expected, but delayed on the obstacles aforesaid. In the meantime the laird used the same sort of contrivance for Con's escape as he had heretofore done for his own; and thus it was the laird had formerly employed, for intelligence as aforesaid, one Thomas Montgomery, of Blackstown, a fee farmer; he was a cadet

of the family, but of remote sanguinity to the laird, whose actions are now related. This Thomas had personally, divers times, traded with grain and other things to Carrickfergus, and was well trusted therein, and had a small bark, of which he was owner and constant commander; which Thomas, being a discreet, sensible gentleman, and having a fair prospect given him of raising his fortune in Ireland, was now employed, and furnished with instructions and letters to the said Con, who, on a second speedy application in the affair, consented to the terms proposed by the laird, and to go to him at Braidstane, provided the said Thomas would bring his escape so about as if constrained by force and fear of death to go with him. These resolutions being with full secrecy concerted, Thomas aforesaid, having made love to the town-marshal's daughter, called Alice Dobbin, had gained her and her parents' consent to be wedded together; and so by contrivance with his espoused, an opportunity one night was given to the said Thomas and his bark's crew to take on board the said Con, as it were by force, he making no noise for fear of being stabbed, as was reported next day through the town. The escape being thus made, and the bark arriving safe at the Largs, he was kindly entertained and treated with due deference to his birth and quality, and observed with great respect by the laird's children and servants, they being taught so to behave themselves. In this place the said Con entered into indentures of articles of agreement, the tenor whereof was, that the said laird should entertain and subsist him in the quality of an esquire, and also his followers in their moderate and ordinary expenses; should procure his pardon for his and their crimes and transgressions against the law, which indeed were not very heinous, and should get the inquest to be vacated; and the one-half of his estate, thereof Castlereagh and circumjacent lands to be a part, to be granted to himself by letters patent from the King; to obtain for him that he might be admitted to kiss His Majesty's hand, and to have a general reception into favour. All this to be at the proper expense, cost, and charges of the said laird, who agreed and covenanted to the performance of the premises on his part. In consideration whereof, the said Con did agree, covenant, grant, and assign by the said indenture the other one-half of all his landed estate, to be and enure to the only use and behoof of the said laird, his heirs, and

assigns. At which time the said Con, also signing and registering—but no sealing of deeds being usual in Scotland—he premised by an instrument in writing to convey part of his own moiety unto the said Patrick and Thomas, as a requital of their pains for him, which he afterwards performed, the said laird signing as consenting to the said instrument; the said agreements being fully endorsed and registered in the Town Council Book of the royal burgh of Ayr or Irwyne. Upon the said agreement the laird and Con went to Westminster, and the laird was there assumed to be an esquire of the King's body, and after this was knighted, who made speedy application to the King (already prepared), on which the said Con was graciously received at Court, and kissed the King's hand; and Sir Hugh's petition in both their behalfs was granted, and orders given under the privy signet that His Majesty's pleasure therein should be confirmed by letters patent under the great seal of Ireland, at such rents as therein expressed, and under conditions that the land should be planted with British Protestants, and that no grant of fee-farm should be made to any person of mere Irish extraction."

"Now, these affairs, as also Con's escape and journey with Sir Hugh, and their errand, took time and wind at Court, notwithstanding their endeavours to conceal them from the prying courtiers; so that in the interim one James Fullerton, a great favourite, who loved ready money, and to live in Court, more than in waste wildernesses in Ulster, and afterwards had got a patent clandestinely passed for some of Con's lands, made suggestions to the King, that the lands granted to Sir Hugh and Con were vast territories, too large for two men of their degree, and might serve for three lords' estates, and that His Majesty, who was already said to be over-hastily liberal, had been over-reached as to the quantity and value of the lands, and therefore begged His Majesty that Mr. James Hamilton might be admitted to a third share of that which was intended to be granted to Sir Hugh and Con. Thereupon a stop was put to the passing of the letters patent, which overturned all the progress that Sir Hugh had made to obtain the said orders for himself and Con. But the King, sending first for Sir Hugh, told him, respecting the reasons aforesaid, for what loss he might receive by not getting the full half of Con's estate, by that defalca-



tion he would compensate him out of the abbey lands and impropriations, and that he would also abstract out of Con's half the whole great Ardes for his and Mr. James Hamilton's behoof, and throw it into their two shares; that the sea coasts might be possessed by Scottish men, who could be traders as proper for his Majesty's future advantage, the residue to be laid off about Castle-reagh (which Con had desired) *being too great a favour for such an Irishman*. All this being privately told by the King, was willingly submitted to by Sir Hugh, and soon after this he and Con were called before the King, who declared to them both his pleasure concerning the partitions as aforesaid, to which they submitted. On notice of which procedure, Mr. James Hamilton was called over by Sir J. Fullerton, and came to Westminster, and having kissed the King's hand, was admitted the King's servant, all which contrivance brought money to Sir J. Fullerton, for whose sake and request it was the readier done by the King. Sir Hugh and Mr. Hamilton met and adjusted the whole affair between themselves. Whereupon letters of warrant to the Deputy, dated 16th of April (1605), were granted to pass all the premises by letters patent, under the great seal of Ireland accordingly, in which the said Sir James Fullerton obtained farther of the King, that the letter to the Deputy should require him that the patent should be passed in Mr. Hamilton's name alone, yielding one hundred pounds per annum to the King; and in the said letters were recited that the lands were in trust for Mr. Hamilton, Sir H. Montgomery, and Con O'Neill, to the purport already expressed."

At length Con succeeded in returning home; but he had not escaped from the hands of his Scotch friend.

In December, 1605, he was induced to sign certain articles by which his estate in his remaining lands was cut down to an estate in tail, "so long as the said Con continues a loyal subject, and shall not commit any unlawful act to forfeit the said lands," with remainder in fee to Sir Hugh Montgomery. As Con was not likely to suffer a recovery, and was certain in some way to be attainted, Sir Hugh thus sagaciously hoped to secure to himself the entire of Con's lands. Unfortunately for Sir Hugh, Con fell into the hands of Sir James Hamilton and Sir Moses Hill, and was by them induced to execute a conveyance to them of all his property.

in Castlereagh and Sleet Nesles (consisting then of fifty-eight townlands), except the lands of Tullycornan and Edencharrick. Con was almost avenged by the litigation which arose among the three knights, who quarrelled like jackals over the carcass; but ultimately despoiled, driven out of his family house at Castle-reagh, and in poverty, he retired to Ballyhenocke, and died in the year 1620 at Holywood. He was buried in the little church of Ballymaghan, which in its turn has utterly perished, nothing remaining of it save an inscribed tombstone, "which was set in the wall of an adjoining office house," and now is deposited in the British Museum.\*

Thus the field, which had been reaped by the military adventurers, was gleaned by sharpers and courtiers.

The political consequences of the plantation and the other settlements of English and Scotch Protestants have been generally overlooked, yet they were important and immediate.

The entire population of Ireland was hitherto Catholic; the Catholics were divided into two parties—the Irish Catholics and the Catholics of the English connexion. The former, clinging to native usages and laws, were in their traditions and ideas utterly opposed to the English rule, and thus, as irreconcilables, were destined, if they could not triumph, hopelessly to succumb. The latter, except in the question of religion, were thoroughly English; they formed the mass of the English partisans, lent to the Government the physical force necessary for its maintenance, and swelled the official party in the Irish Parliaments. It was this English Catholic party which passed the Acts relative to the affairs of the Church and the dissolution of the monasteries; Catholic nobles without scruple fought against the legates of the Pope, and gave no quarter to the fugitives of Kinsale.

The English Government was forced to act towards their supporters with some moderation and reserve. The ritual and formularies of the Church were altered into accordance with the prevailing opinions or legislation of England; Jesuit emissaries were crushed without compassion; Catholic priests, who could not dissociate themselves from Catholic political agents, were executed

\* Hill, *The Montgomery MSS.*, pp. 19, 34, 40, 72.

and tortured without compunction; all this the English Catholic party was willing to submit to, rather than to make common cause with their co-religionists of the hostile nationality; but further than this the English Government dared not to advance. Conformity might be enforced in the capital, and sometimes in the provincial towns; but the mass of the Catholics enjoyed liberty of conscience, and to a great extent liberty of worship; as Elizabeth expressed it, though always refusing to give to any subject an express liberty to break the law, she tacitly permitted all loyal subjects to think and worship according to their conscience. This to us seems but a small instalment of religious liberty—but was as much as, if not more than, was then conceded in most European states. Beyond this she dared not to enforce the State religion; not because she had any respect for liberty of belief or love of freedom, but because she could not afford to alienate the only loyal portion of her subjects. By silent consent a compromise existed between the Queen and the loyal Catholics, and the consequences of recusancy were not brought home as yet to any of them by political disabilities or personal inconvenience.

By the plantation an entirely new element was introduced into the country—a loyal and Protestant population. The settlers, who occupied the forfeited tribe lands, were bound by the strictest ties of self-interest to support the Government by whose grants they held their estates; and at the same time, having been reared up in Scotch or English hatred of Popery, they were not only ready, but willing also, to support the Government in enforcing religious conformity, and to aid every measure which might promise further confiscations.

The Government naturally relied upon its new and more thorough partisans, and was freed from the necessity of conciliating or sparing the prejudices of the old English party. The party of the plantation becomes the party of the Government, and the old English party becomes first a parliamentary opposition, and then gradually, though not without much misgiving and reluctance, amalgamates with the Irish Catholics, forming eventually a quasi-national party upon the basis of a common religious belief.

But for the plantation the Established Church would have gradually died out, from the dilapidation of its funds and the low



estate of the parochial clergy. The careful provision made in Ulster for the clergy of the Protestant Church replaced its clergy in the position of the legal and endowed hierarchy, and gave them, irrespective of the duties to be performed, the social status and material wealth which they have since enjoyed.

The assistance lent by the plantation, or Protestant party, was not so effective as the English Government hoped, and has been generally imagined. In the two great crises of subsequent Irish history, the Protestants, so far from holding the island for England, were barely able to maintain themselves; their power was rather parliamentary than physical. By means of the new counties and boroughs created at the date of the plantation, they acquired a working majority in the House of Commons, and, as the country came gradually within the influence of the executive and statute law, enabled the Government to acquire for all its acts, even the most unpopular, an apparent legislative sanction. Thus, under the Stuarts, the absolute authority of the Crown and the forms of the Constitution were developed together, and the mass of the nation was proscribed and persecuted, by what was in theory the same nation represented in Parliament.

In reviewing the Tudor period, some conclusions are formed very different from the popular opinions of Irish history.

It is untrue that the English Government formed any definite plan for the subjugation of Ireland, or prosecuted the conquest with perseverance and intelligence. It rather drifted on from one crisis to another; had no desire for either the complete subjection or civilisation of the island; was most unwilling to enter upon Irish wars, or to squander men or treasure in a contest so fruitless; was to a great extent actuated by the desire of self-preservation; and, if it could have been effected, would, to use Lord Sussex's expression, have been delighted to see Ireland sunk to the bottom of the sea. The intervention of Henry VIII. was forced upon him by the Geraldine insurrection, and an impending Catholic revolt; the religious changes of Edward VI. arose out of English, not Irish, political combinations; the three great wars of Elizabeth were all undertaken most unwillingly, and were injurious to the political designs she had in view. But by this the English Government is not excused. It undertook the government of the island, and

postponed its duty to its interest and convenience ; preferred to act violently, and yet ineffectually, to looking the urgent question in the face, and forming an honest and reasonable policy. The natural result of such a total dereliction of self-assumed duty, and such a neglect of justice and mercy, was a series of expensive and bloody wars, ruinous to Ireland, but scarcely less mischievous to England ; a memory of crime and disgrace, from which England has never freed herself ; and last, but not least, the re-establishment of her sovereignty by means so unjust and ineffectual, that the Irish difficulty has for nigh three centuries been the perplexity of English statesmen.

As to the Celtic national party, it must be admitted that it never possessed the elements of success. It is remarkable how very few men of any ability appeared in its ranks. Dashing partisans there were, as Hugh O'Donnell ; successful guerilla chiefs, as Fiacha M'Hugh ; crafty intriguers, as Florence M'Carthy ; but no born leaders, save Shane and Hugh O'Neill—the former of whom was in his ideas no more than a local dynast ; the latter arrived upon the scene several years too late for success. The want of combination, the absence of enlarged views, the inability to realise existing facts, and the unreasoning adherence to a lost cause, which are so remarkable in the conduct of the Irish chiefs, merely retarded and ultimately aggravated the conquest.

Of religious parties, properly so called, there were none during this period. No Protestant party existed, for there were no Protestants except the agents of the Government and the official episcopacy. There were Catholic parties, for all parties were Catholic, even that which throughout supported the acts of a Government which was politically Protestant ; but there was no Catholic party—no party whose special aim and distinguishing character were the maintenance of the Catholic Church. A religious party can only exist as the correlative of another religious party, which advocates an opposing creed. The creation of the Protestant was necessary for the development of the Catholic party, and until the date of the Plantation, no Protestant party existed.

The contest during the Tudor period was not religious so much as national ; yet not an open struggle between the Celt and the Saxon, but rather an intermittent conflict between different

forms of civilisation and contradictory ideas as to law and property.

The Tudor period, therefore, properly closes with the Plantation. The Catholic Celtic party has fallen ; the English Catholic party, apparently triumphant, is crushed along with them ; the wars of nationality are concluded, and the struggles of religion commence.

THE END.



## NOTE TO CHAPTER XX.

---

It is difficult to form an estimate, and probably impossible to form one with any accuracy, as to what proportion of the forfeited lands in Ulster was reserved for the native Irish.

It must be borne in mind that although the grants in the six counties only amounted nominally to 511,467 acres, and the total area of the six escheated counties is 3,788,981 statute acres, these grants really comprised the whole of the six counties, with a few insignificant exceptions. The inquisitions, finding the escheated lands, are all given in Chapter V., and a summary of the grants in Chapter VIII., of Hill, *The Plantation of Ulster*. Maps were executed under the direction of the Commissioners for the plantation of each barony in the escheated counties, and the maps for the counties of Armagh, Tyrone, Fermanagh, and Cavan still exist in the Public Record Office, London. These maps show the several "proportions" as including the whole area of the respective counties, except the Church and College lands. For an account of these maps and their discovery, see *Transactions, Royal Irish Academy*, Vol. XXIV., p. 317.

The explanation of this seeming discrepancy is, that the quantity of land stated in the grants was that of the arable land only; the large tracts of waste land, wood, bog, and mountain, comprised within the boundaries shown on the maps, were treated as impliedly comprised in the grants, and taken possession of by the grantees. Even as to the arable land, the acreage given in the grants was only obtained by arbitrarily assuming each townland in each county to have contained the same number of acres, in Armagh, 120, in Tyrone and Fermanagh, 60, in Donegal, 64, and in Cavan, 50 acres. Mr. Froude (*The English in Ireland*, Vol. I., p. 69) says:—"The six escheated counties contained in all two million acres. Of these a million and a half, bog, forest, and mountain, were restored to the Irish. The half million acres of fertile lands were settled with families of Scotch and English

Protestants." Here he assumes, contrary to the maps, and contrary to every document, except the very words of the grants, that these comprised only the arable lands, and imagines a restoration of the Irish to the bogs, forest, and mountain, overlooking the fact that the grants to the Irish were in precisely the same form, and equally of only the arable land as the grants to the English and Scotch "undertakers" and "servitors." The original scheme for the plantation provided that three-fifths of the "precincts" or baronies allotted to servitors and "natives" should be allotted to natives. The grants to "natives," set out in Hill, *The Plantation of Ulster*, Chap. VIII., amount to about 67,200 acres, not very far from three-fifths of 116,330, the total amount of the grants to "servitors and natives." To these must be added 5,980 acres "restored" to Connor Roe Maguire, and 1,468 "restored to several Irish," which acreage is included in the total of 511,467, but not in the 116,330. Thus the total "granted" and "restored" to the native Irish would be something between 74,000 and 75,000 acres out of the 511,467, or about one-seventh, and the same proportion would hold for the actual area of the six counties, assuming, which is perhaps too strong an assumption, that the Irish got their fair proportion of the waste wood, bog, and mountain, in addition to the arable.

Even this scanty provision for the Irish was gradually further reduced; for instance, part of Connor Roe Maguire's 5,980 acres was subsequently taken away, and the "great proportion" granted to Tyrone's brother, Art M'Baron O'Neill, was limited, after the death of him and his wife to the Lord Audley.

In the county of Londonderry, no provision whatever seems to have been made for the Irish.

---

# INDEX.

- Adrian IV., Pope, Bull of, 157-159.  
Aire, meaning of term, 43.  
Aquila, Don Juan de, Commander of Army, sent by Philip II. to Ireland, 587; surrenders at Kinsale, 590.  
Armagh, Synod of, 149.  
Alen, Archbishop of Dublin, 278.  
Alen, Sir John, Lord Chancellor, 310, 325, 379, 394.  
Armagh, Archbishops of: Creagh, 276, 301; Dowdall, 398, 401, 403, 404; Goodacre, 405, 407.  
Bagnall, Sir Henry, Marshal of Ireland, 567; defeated by Tyrone, and slain, 583.  
Bale, John, Bishop of Ossory, 405, 406, 407, 409, 419-422.  
Baltinglass, Viscount, Rebellion of, 541, 542.  
Beal-an-atha-buidhe (the yellow ford), battle of, 570, 583.  
Bellahoe, battle of, 312-314.  
Bellingham, Sir Edward, Lord Deputy, 392, 393.  
Bermingham, Jean de, Earl of Louth, 196, 199.  
Bishops, position of, in early Irish Church, 81, 82, 88, 89.  
Bishops of Danish towns in Ireland, 87.  
Bishops appointed by Queen Elizabeth, 499-503, 549.  
Boyle, Richard (afterwards Earl of Cork), 544, 545.  
Brehons, 53, 67, 58.  
Brehon Laws, 54, 57, 58, 59, 69.  
Brian Borumha struggles against the Danes, 113; becomes King of Munster, 114; of Ireland, 115; victory of at Glen Mama, *ib.*; character of, 116; victory and death at Clontarf, 121-123.  
Brodir, a viking, 119, 120; kills King Brian, 123.  
Browne, George, Archbishop of Dublin, 371, 373-378, 379-385, 397, 398, 401, 422, 423.  
Bruce, Edward, invasion of Ireland by, 194-197.  
Bruce, King Robert, 195, 196.  
Burgo de, William Fitz Adelm, 168; Richard, the Red Earl of Ulster, 194, 195; William, the Brown Earl of Ulster, 201, 202; Sir Edmond takes title of M'William Iochtar, 202; Sir William takes title of M'William Uachtar, 202.  
Butler (or le Botiller), Edmund, Earl of Carrick, 217; James, 1st Earl of Ormonde, 217.  
Carew, Sir George, Lord President of Munster, 586, 588, 589, 590.  
Carew, Sir Peter, early life of, 523; attempts to recover great estates in Ireland, 524-526.  
Carrick, Edmond le Botiller, Earl of, 217.  
Cassel, Synod of, 161, 162.  
Cattle, relation created by the landing and hiring of, 45, 46, 47.  
Celestine I., Pope, 91, 94, 98.  
Celts, physical type of, 22, 26, 27; characteristics of, 29-33.  
Celtic population in Ireland, 22, 29; position of, after Norman Conquest, 174-177.  
Cess, nature of, as levied in the Pale, 526, 528; complaint of the gentry of the Pale against, to Queen Elizabeth, 527.  
Chief, Irish, powers and duties of, 48, 50, 51; election of, 49.  
Church, characteristics of the early Irish, 79-87, 99-100; condition of, at the time of the Norman invasion, 159-163; at the commencement of the reign of Henry VIII., 272-301; under Henry VIII., 349-387; under Edward



- VI., 397-411; under Mary, 423-431; under Elizabeth, 495-508.
- Clannaboy (Clan Aedha Buidhe), O'Neills of, 203, 473; means by which they lost their lands, 607-613.
- Clannickarde, Earls of, 453, 590.
- Clarence, Lionel, Duke of, in Ireland, 206.
- Clontarf, Battle of, 120-123.
- Connaught, Lordship of, granted to William Fitz Adelm, 168; succession to, 170.
- Cork (Richard Boyle), Earl of, 544, 545.
- Coroticus, St. Patrick's Epistle to, 75, 99.
- Counties, Irish, creation of, 187; in Ulster, under 11th Elizabeth, 487; represented in Parliament of 1560, 496.
- Coyne and Livery, 250.
- Creagh, Richard, Archbishop of Armagh, appointed by the Pope, 301.
- Croft, Sir James, Lord Deputy, 392, 395, 396, 402, 403, 457.
- Curwin, Archbishop of Dublin, 495, 499.
- Cusacke, Sir Richard, Lord Chancellor, 407, 411.
- "Daer" stock, or "unfree tenancy," 45, 63.
- Dal Cais, 113.
- Danes invade Ireland, 108, 109, 112; found towns in, 110; defeated at Sulchoit, 114; at Glen Mama, 115; at Clontarf, 121.
- Dathi, King of Ireland, 18, 25.
- "Deis" rights, 65.
- Desmond, Earls of, 217, 252, 253, 303, 452; rebellion of the Earl of, 536-541.
- Donnchadh, son of Brian, 124.
- Dowdall, George, Archbishop of Armagh, 398, 401, 403, 404.
- Druidism in Ireland, 73.
- Dublin, Archbishops of: Fitzsimons, 277; Rokeby, 277; Inge, 278, 283; Alen, 278; Browne, 371, 373-378, 379-385, 397, 398, 401, 422, 423; Curwin, 495, 499.
- Dungannon, Matthew O'Neill, Baron of, 456, 457, 458, 459, 460.
- Easter, Irish mode of calculating, 101.
- English population in Ireland, condition of, after Edward Bruce's invasion, 197-199, 203, 206; between 1366 and 1534, 217, 224-230, 236, 237; in 1535, 249-264.
- Essex, Walter Devereux, Earl of, attempted plantation in Ulster by, 516-522; Robert Devereux, Earl of, 533.
- Feini, the "unfree" or unprivileged class in an Irish tribe, 43, 47, 48.
- Feudal system, contrast between, and Irish tribal system, 132-136.
- Fintan, Song of, 21.
- Firbolg, 21, 23, 24-28; physical characteristics of, 28.
- Fitzgerald (*see* Desmond and Kildare), Maurice, 147; Thomas, Lord Offaly, called Silken Thomas, 234, 302, 304, 305, 306.
- Fitzmorris, Sir James, 534-536.
- Fitzsimon, Walter, Archbishop of Dublin, 277.
- Fitzstephen, Robert, 147, 148, 168.
- Fitzwalter, Thomas Ratcliff, Viscount, Lord Deputy, 424, 431, 433. (*See* Sussex.)
- Fitzwilliam, Sir William, Lord Deputy, 551, 556, 567.
- Five bloods, the, 174, 187.
- "Flaith," or noble class in a tribe, 43, 44, 47; divisions of, 52, 53.
- Gallowglass, meaning of term, 571.
- "Geillfine" organisation, 46, 47, 63-65.
- Geraldines, the, 147, 233, 234, 452.
- Glen Mama, Battle of, 115.
- Gold found in Ireland, 12, 13.
- Gormlaith (Kormlada), divorced wife of Brian Borumha, 116, 117, 118.
- Grey, Lord Leonard, Lord Deputy, 309-316, 328, 332.
- Hasculf, last Danish King of Dublin, 151, 152.
- Henry II., King, visit to Ireland, 153, 163.
- Henry VIII., his civil policy as to Ireland, 316, 321, 327, 344; his religious policy, 349, 350.
- Iberians, probably the pre-Celtic population of Ireland, 28; physical characteristics of, 25-27.
- Indentures with Irish chiefs, 333-336.
- Ireland, physical geography of, 4, *et seq.*; central plain of, 5-7; mountain ranges in, 7, 8; rivers of, 8, 9, 16; harbours in, 10; bogs of, 10; minerals in, 12, 13, 17; trade of, 14; early inhabitants of, 20-28.
- Irish Church, early organisation of, 80-83; no difference of doctrine between, and Rome, 85, 101; Giraldus Cambrensis, on, 159-160; condition of, after Norman Conquest, 177-179; at the beginning of the reign of Henry VIII., 272-296; after the dissolution of the monasteries, 359-361.
- Irish, native, position of, after Norman Conquest, 174-177, 191-193; recovery of territory by, after Edward Bruce's invasion, 203; effect of the

- Statute of Kilkenny as regarded, 209-214; position of, at the beginning of the sixteenth century, 235, 238, 244-249; in Ulster after Plantation, 601, 618, 619.
- John XXII., Pope, appeal of the Irish chiefs to, 189-193.*
- Kells, Synod of, 86, 87.
- Kerne, meaning of term, 571.
- Kildare, Earls of, 217, 233, 283, 284, 328, 452, 471, 473, 479, 480.
- King's County, 439.
- Kinsale, landing of Spaniards at, 587; siege and battle of, 589-590.
- Kilkenny, meeting of the Anglo-Norman nobles at, 204.
- Kilkenny, Statute of, 207; provisions of, 209-214, 272-273; Sir John Davis on, 215.
- Kilmainham, grand Priors of, 289, 430.
- Kingdom, Act creating Ireland a, 336.
- Kormlada; *see* Gormlaith.
- Leinster, Lordship of, granted to Strongbow; succession to, 169.
- Leix, forfeiture and plantation of, 436, 437, 438, 439, 441, 451, 452, 583.
- M'Grath, Meyler, Bishop of Down, afterwards Archbishop of Cashel, 277, 301, 548.
- MacMurrough, Dermot, invites over the Normans, 144-147; Art, chief of Leinster Irish, 220, 222, 224.
- Maelmordha, King of Leinster, 115, 116, 117, 120.
- Malachi, King of Ireland, deposed by Brian, 115; restored on his death, 125.
- Mathgamhain (Mahon), chief of the Dal Cais, 113; defeats the Danes of Limerick, 114; killed, *ib.*
- Meath, Lordship of, granted to Hugh de Lacy; succession to, 169.
- Missionaries, Irish, on Continent, 83, 84, 85, 100.
- Monastic communities, organisation of, in early Irish Church, 80, 81, 82, 83, 99, 100; condition of, at the beginning of the reign of Henry VIII., 287, 294; dissolution of, 353-357; effects of the dissolution of, 357, 359.
- Mountjoy (Charles Blount), Lord, Lord Deputy. 586, 589, 590.
- Murchadh, son of Brian Borumha, 115, 117, 122.
- Money - Irish 454*
- Normans, character of the, 129-131; reasons why they failed to completely conquer Ireland, 138-140, 179-186; invasion of Ireland by, 144-152; districts in Ireland occupied by, 173, 174, 187.
- Norsemen, character of, 103-105; settlements in Western Islands, 106.
- O'Byrne, Fiacha M'Hugh, 559, 560, 569, 581, 583.
- O'Conor, Roderic, last native King of all Ireland, 151; submission to Henry II., 168.
- O'Connor, Faly, 305, 308, 310, 311, 436, 438, 439.
- O'Donnell, Calough, 467, 468, 471; Hugh, 557; seizure and escape of, 558, 562; joins Hugh O'Neill in his rebellion, 576, 577, 578, 581, 586, 589; death in Spain, 590; Rory, or Roderic, Earl of Tyrconnell, 596, 597.
- Offaly, forfeiture and plantation of, 436, 437, 438, 439, 441, 451, 452, 583.
- O'Fiheily, Bishop of Leighlin, 500, 548.
- Ogham writings, 69, 88.
- O'Mores, 436, 437, 438, 439, 440.
- O'Neill, Sir Brian M'Phelim (of Clan-deboy), 518.
- O'Neill, Con Boccagh, 311, 312; defeated at Bellahoe, 312-314; created Earl of Tyrone, 336, 456, 458, 460, 479.
- O'Neill, Donald, letter to Pope John XXII., 189-193.
- O'Neill, Hugh, Earl of Tyrone, 455; early career of, 562, 563; created Earl of Tyrone, 564; disputes with Turlough Luineach, 564-566; with the English Government, 566-569; character of, 569-570; rebellion of, 570, *et seq.*; victory of at the Yellow Ford (Beal-an-atha-buidhe), 583; campaign in Munster, 589; defeated at Kinsale, 589-590; submission of, 591, 593; subsequent treatment of, 595, 596; flight to Spain, 597.
- O'Neill, Mathew (Feardorrough), Baron of Dungannon, 456, 457, 458, 459, 460, 464, 465, 472.
- O'Neill, Shane, 276, 301, 434, 455, 456, 457, 458, 459; elected O'Neill, 460, 462, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 481; defeat of, 482; murdered by the Scots, 484.
- O'Neill, Turlough Luineach, 472; succeeds Shane as O'Neill, 489, 518, 550, 551, 563, 564, 565, 566.
- Ormonde, Earls of, 217, 452, 470, 475.
- Ossory (Piers Butler), Earl of, 304, 362.

- Pale, the English, 207; condition of in 1535, 255-264; remonstrance of the gentlemen of, against the cess, 526-530.
- Palladius, 76, 90, 91, 98.
- Patrick (St.), writings of, 74, 75; birth-place and early life of, 75-77, 89, 90; "Confession" of, 75, 77; missionary career of, 78-80; Lives of, 93-97; controversy as whether acts of more than one person have been attributed to, 92-99.
- Picts (called Cruithnigh in Irish), 23; in Ulster, 23, 24.
- Poynings' Act, 232.
- Presidents of provinces; powers and duties of, 512, 513, 514, 515.
- Queen's County, 439.
- Raghlin (or Rathlin) Island, massacre of the Scots in, 520, 521.
- Reformation, not adopted by any part of the population in Ireland, 297-299, 361-365.
- Religious orders existing in Ireland in 1535, 289.
- Revenue of Ireland in 1542, 265; in 1560, 454; from 5 P. & M. to 16 Eliz., 489.
- Richard II., King, in Ireland, 221-224.
- "Saer" stock, or free tenancy, 63.
- St. Leger, Sir Anthony, Lord Deputy, 392, 395, 396, 397, 398, 399, 401, 479.
- Scots in Ulster, 248, 461, 467, 468, 469, 478; murder Shane O'Neill, 483; massacre of, in Raghlin, 520, 521; obtain great part of Antrim, 606, 607.
- Sen Patraic, or the elder St. Patrick, 92, 95.
- Sidney, Sir Henry, Lord Deputy, 462, 478.
- Sigtrygg, King of Dublin, 117, 118, 119, 121, 122.
- Sigurd, Earl of Orkney, 118, 121, 122.
- Silver found in Ireland, 17, 397.
- Skeffington, Sir William, Lord Deputy, 305.
- Staples, Bishop of Meath, 384, 401, 402, 403, 404, 410, 423.
- Strongbow, Richard de Clare, Earl of Pembroke, commonly called, 145; invasion of Ireland by, 149-153; marries the daughter of Dermot Mac Murrough, 149; grant of Leinster to, 168.
- Stukely, Thomas, 534.
- Sulchoit (Sologhead), Battle of, 114.
- Supremacy, Act of, 328, 350.
- Surrey, Earl of (Thomas Howard), Lord Deputy, 321, 323, 324.
- Sussex, Earl of (*see* Fitzwalter, Viscount), Lord Deputy, afterwards Lord Lieutenant), 433, 434, 438, 439, 450, 467, 468, 469, 470, 474, 476, 477, 479, 480, 495.
- Tanist, office of, 49, 66.
- Thomond, Earls of, 453.
- Thonery, Bishop of Ossory, 500, 502, 548.
- Towns, municipal, in Ireland, creation of, 170; condition of, in 1535, 264, 265; representatives in Parliament of, 1360, 496.
- Tribe, Irish, the unit of the Irish social organisation, 36; how developed out of the family, 38, 39; ownership of the tribe-land by, 42; organisation of, 30, 52, 55, 56, 62.
- Tribe, monastic, organisation of, 80, 81.
- Tuath, the Irish tribe, 36.
- Turgesius, 109.
- Tyrconnell, Rory O'Donnell, Earl of, 596, 597.
- Tyrone, Earls of; *see* O'Neill, Con  
Bocagh, O'Neill, Hugh.
- Ulster, division of, into counties, 489.
- Ulster, Earldom of, 168, 169, 463; Richard de Burgo, the Red Earl of, 194, 195, 201; William de Burgo, the Brown Earl of, 201, 202; Lionel, Earl of; *see* Clarence.
- Ulster, the Plantation of, 597-600; original scheme for the, 600-605; amount of land reserved for the native Irish under, 601, 618, 619; disposition of the forfeited land under, 605; obligations on the undertakers as to building and making tenancies to English or Scotch settlers, 603.
- Vikings, 107, 118.
- York, Richard, Duke of, in Ireland, 231.



244

Feb 16. 288

Elizabeth 531

Love of Royalty 216

247. State of the Indies

No. 1 of Irish Church  
in Middle Ages as  
national church

Excluded Mender  
286

Chamber & English school  
from 285

In medieval strongholds and  
famed by remote 293

from 285 as shown





DA  
933  
R52

Richey, Alexander George  
A short history of the  
Irish people

PLEASE DO NOT REMOVE  
CARDS OR SLIPS FROM THIS POCKET

---

UNIVERSITY OF TORONTO LIBRARY

---

